

LIBERTARIAN PARTY® LP NEWS

The Party of Principle®

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Ned Roscoe finishes considerably under 1% in California race

Libertarian gubernatorial candidate Ned Roscoe won considerably less than 1% of the vote in the October 7 election in California — a disappointing end to a campaign that never managed to rise above a jam-packed ballot full of candidates.

With 100% of the precincts reporting — but with absentee ballots not yet counted — Roscoe won 2,007 votes. That placed him 33rd out of 135 candidates in the special recall election.

However, the retail cigarette company executive said his long-shot campaign was worthwhile.

"I already feel like a winner," he said. "I went out to represent citizens at the bleeding edge of California's tax abuse, the smokers, carrying the sensible ideas of California's Libertarian Party. I had a ton of fun doing it."

In the historic election, 55% of California citizens voted to oust unpopular Democratic Governor Gray Davis, making him only the second U.S. governor ever to be recalled from office.

Winning his seat in the governor's mansion was Arnold Schwarzenegger, who overcame allegations that he had groped numerous women during his Hollywood career. The burly Republican actor came close to winning an outright majority, with 3,743,393 votes, or 49%.

Coming in second place was Lt. Governor Cruz M. Bustamante. The Democrat won 2,432,446 votes (32%).

Rounding out the top five were Republican State Senator Tom McClintock (13%), Green Party candidate Peter Miguel Camejo (3%), and independent political columnist Arianna Huffington (1%).

The next five finishers, each with less than 1% of the vote, were former baseball commissioner Peter V. Ueberroth, *Hustler* magazine publisher Larry Flynt, former child actor

Gary Coleman, independent George B. Schwartzman, and porn actress Mary "Mary Carey" Cook.

Among the lesser-known candidates, Roscoe had run one of the more vigorous campaigns — visiting dozens of California cities and towns, appearing on the *Tonight Show* with a number of other bottom-of-the-ballot contenders, and organizing the Candidate Coalition Bus that shadowed Schwarzenegger's better-publicized bus tour.



■ **Ned Roscoe:** "The principles I represent are clear winners."

More fun
"Nobody has had more fun than me," Roscoe told the *Sonora Union Democrat*.

The campaign did allow him to publicize his three-part campaign theme, said Roscoe: "No new taxes. No new stupid laws. Get the work done."

"Less government is the winning position in this election," he said. "The principles I represented are the clear winners. Whoever takes office ignores them at his peril."

See **ROScoe** Page 5



■ **Comic actor Dean Cameron:** A "hardcore Libertarian" speaker.



■ **Blues guitarist Jimmie Vaughan:** A "living legend."



■ **Radio talk show host Neal Boortz:** "I believe in freedom."

Dean Cameron, Neal Boortz will speak at '04 Convention

A popular Hollywood actor, an outspoken judge, and an incendiary talk show host have been confirmed as speakers at the 2004 Libertarian National Convention.

In addition, a legendary blues musician (and self-declared Libertarian) will perform, said Convention Committee Chair Nancy Neale.

"[We want] to offer the best possible speaker line-up to inform, educate, and inspire," she said.

Speaking at the convention, which will be held May 27-31, 2004 at the Marriott Atlanta Marquis Hotel in Georgia, will be actor Dean Cameron, Superior Court Judge James Gray, and syndicated radio talk show host Neal Boortz.

Libertarian National Convention 2004

Performing at a benefit concert will be four-time Grammy Award-winning blues singer and guitarist Jimmie Vaughan.

In addition to speakers and entertainment, up to 1,400 delegates at the convention will nominate the LP presidential and vice presidential candidate for the 2004 election.

Choose a Chair

Delegates will also debate modifications to the LP Platform, vote on proposed Bylaws changes, choose a National Chair, and elect a new Lib-

ertarian National Committee to guide the party for the next two years.

The theme of the convention is "LIBERTY Works!" — which will be reflected at the convention by "many examples of successful implementation of non-government solutions," said Neale.

But the highlight for many delegates will be the line-up of speakers and entertainers, which includes:

■ **Dean Cameron:** He made his name as a funnyman actor in light-hearted teenage comedies like *Ski School* (1991), *Ski School 2* (1994), and *Summer School* (1987).

However, he has been in the news more recently as the inventor of the "Bill of Rights, Security Edition" for See **CONVENTION** Page 2

On the WTO frontlines in Cancun

Editor's note: Government officials from 146 nations met at the Fifth World Trade Organization (WTO) Conference in Cancun, Mexico, September 10-14, 2003. The International Society for Individual Liberty's Louis James attended, and filed this report.

By Louis James

I've just returned from spending a week in Cancun, Mexico, observing the 5th ministerial meeting of the World Trade Organization (WTO). I was there with

some pro-trade activists from The Bureaucrash Foundation [an international alliance of libertarian activists who mock "bloated, sprawling governments"].

I... words almost fail me. We witnessed some of the most amazing, ironic, and just plain moronic things I've ever seen.

First, there's the whole concept of the WTO itself. This is not a gathering of titans of trade — Hank Reardens and Howard Roarks — discussing free enterprise. This is a gathering of bureaucrats, discussing how governments can "help" free trade.

Forgive me if I'm skeptical. I understand that the WTO has reduced some tariffs, but I'm not sure the full extent of the prices paid for those deals is known. National sovereignty has certainly not been strengthened by them. It's not that I'm a big fan of most of today's sovereign nations, but I shudder to think of a gaggle of them running things where I live, by committee.

One thing that really convinced me I'd fallen through the looking glass was that a block of third world countries were demanding nothing See **CANCUN** Page 16

NEWS BRIEFS

Retired vice admiral joins Libertarian Party

A retired U.S. Navy vice admiral has joined the Libertarian Party, saying he supports the party's belief that "government should be of limited scope."

Michael C. Colley USN (ret.), who served as the commander of the Pacific Fleet submarine force, said he is a libertarian because individuals should be able "to pursue our personal objectives unimpeded by governmental barriers."

"The Constitution is written in such a way as to define government very narrowly," he said. "We should simply allow the wisdom of the Founding Fathers to guide us — always."

Colley also said he supports "a strong national defense," but one that "should only be used to defend our society from external coercion and substantive threat."

The U.S. military, he said, "should not be used to sally forth in an effort to change or influence the actions of other sovereign states unless our own national security is clearly at stake."

A graduate of the U.S. Naval Academy, Colley served as Commanding Officer of the attack submarine Narwhal. Previously, he had commanded the Navy's largest submarine squadron in Groton, Connecticut.

Since leaving the Navy, Colley has been active in the national security policy and analysis field. A member of the Alabama LP since June 2003, he is currently a resident of that state.

Colley "joins other luminaries who proudly call themselves Alabama Libertarians," said Mike Rster, the administrator of the Alabama LP.



■ **Michael Colley:** "Limited scope."

Illinois Libertarian fights seatbelt fine

An Illinois Libertarian says he would rather go to jail than pay a \$25 fine for not wearing a seat belt. Ken Prazak, a past Chair of the Fox Valley LP, said it is a matter of principle.

"If you don't have the right to decide what is and what isn't safe for yourself, then you have no rights at all," he told the *Aurora Beacon-News*. "We should be free to make our own decisions as long as we don't impinge on other people's rights. I'm very serious about this. I'm taking a fundamental stand against this oppression."

Prazak, 51, got a ticket for not wearing a seatbelt while driving his Ford truck on July 18. He doesn't use the safety device because "I think you're less safe" with a seatbelt, he said.

Ten years ago, Prazak's truck was broadsided by a car, and he said he would have been crushed had he been wearing a seatbelt. Instead, he emerged unharmed after rolling to the floor of the truck.

In early September, Prazak went to the McHenry County court and told the judge that he would go to jail rather than pay the \$25 fine.

However, the judge ruled that Prazak, who was representing himself, had not properly filed his motions in the case. The judge continued the case until October 7.

"I'm not done fighting this," Prazak told the *Aurora Beacon-News*. "Changing the law is one of my goals here."

Tucker Carlson has 'libertarian instincts'

Tucker Carlson, the co-host of CNN's *Crossfire*, has libertarian instincts. And a libertarian spirit. And he admires the Libertarian Party. But don't call him a libertarian.

Carlson, who just published the book *Politicians, Partisans and Parasites: My Adventures in Cable News*, displayed his interestingly equivocal opinions about libertarianism in recent media interviews.

"I'm conservative about most things," the boyish-faced host said in a September 16 interview on CBS's *The Early Show*. At the same time, he said, "I have a libertarian spirit and [am] not that interested in being told what to do by the government."

In a live cyberchat on WashingtonPost.com on September 25, Carlson said, "[I] can't think of anyone whose politics match mine precisely. Generally, I've got libertarian instincts."

In a previous cyberchat (December 19, 2002) on the same website, Carlson said he had mixed feelings about the Libertarian Party.

"They're wackos, but I admire and like them," he said.

And in the January 21, 2002 issue of *New York* magazine, Carlson again expressed ambivalence about libertarians. "You wouldn't want libertarians in charge of a government," he wrote. "On the other hand, politics informed by libertarian instincts — the libertarian spirit rather than actual libertarianism — is a good thing."

Carlson, 34, who is known for his signature bow tie, represents the conservative viewpoint on CNN's *Crossfire*.



■ **Tucker Carlson:** Libertarian spirit.

James Gray, Jimmie Vaughan set for LP National Convention

Continued from Page 1

travelers — the first 10 Amendments to the U.S. Constitution printed on sturdy metal cards.

The product is designed to set off the metal detectors in airports and force airport security to "take away your Bill of Rights."

The inspiration for the product came from the fact that he is a "hard-core Libertarian," said Cameron.

"I'm always surprised that more artists aren't Libertarians," he told the Advocates for Self-Government.

In addition to movies, Cameron appeared on the short-lived NBC series *Mister Sterling*, and in a number of popular TV series, including *Will and Grace*, *ER*, and *Mad About You*.

At the convention, Cameron will provide his humorous perspective on politics, said Neale.

"We can expect his speech/stand-up comedy routine to be quite insightful and entertaining," she said. "He told me he's very grateful and honored to be a part of our national convention."

■ **Judge James Gray:** This Orange County, California Superior Court judge first broke with tradition when he spoke out against the "needless tragedy" of the War on Drugs.

Then, in February 2003, he joined the Libertarian Party, saying, "Drug Prohibition is the most critical issue facing the world today, and the LP is the only party addressing it. I felt compelled to join."

At the time, Gray said he might seek the LP's presidential nomination, but more recently said he may run for U.S. Senate in California.

Gray, 57, is the author of *Why Our Drug Laws Have Failed and What We Can Do About It: A Judicial Indictment of the War on Drugs*. Published in April 2001, the book expounds on Gray's premise that "Drug Prohibition has failed from every standpoint imaginable: unnecessary prison growth, increased taxes, increased crime, and corruption."

Gray's two decades of experience as a judge gives him a "unique perspective" on the War on Drugs, said Neale.



■ **Judge James Gray:** An "articulate anti-drug-war advocate."

"He is one of the most educated and articulate anti-drug-war advocates out there," she said. "I first heard Judge Gray speak a couple years ago. He gave a very impressive and compelling speech from [his] unique perspective."

■ **Neal Boortz:** *Talkers Magazine* called him one of the "25 Most Important Radio Talk Show Hosts in America." And readers of *Radio and Records Magazine* called him the "NewsTalk Personality of the Year" in 2002.

He's Neal Boortz — the host of the #1 rated talk show in Atlanta and syndicated on about 140 stations around the USA.

He joined the LP in 1996 after becoming fed up with big-government Republican politicians.

"I'm a libertarian," said Boortz. "Simply put, I believe in freedom. I firmly believe that if liberty is to be preserved in America, it will be libertarian thought, if not the Libertarian Party, that saves it."

Delegates can expect fireworks when Boortz speaks, said Neale.

"Although he's been a great cheerleader for the LP for many years, he's often quite controversial and very much his own man with strong opinions not always in line with every is-

sue in the LP platform," she said. "I expect him to be pretty fired-up."

■ **Jimmie Vaughan:** He is widely acclaimed as one of the greatest guitarists in popular music. In fact, *Guitar Player* magazine called him "a virtual deity — a living legend."

He's Jimmie Vaughan, a founding member of the Fabulous Thunderbirds, brother of fellow blues legend Stevie Ray Vaughan, creator of the Jimmie Vaughan Stratocaster guitar, and purveyor of classic blues riffs and retro rock cool.

He's also a Libertarian, with links to the Declaration of Independence and the Constitution on his website.

Vaughan has won four Grammy Awards, most recently for *Do You Get The Blues?* (Best Traditional Blues Album, 1991).

With the Fabulous Thunderbirds, Vaughan released *Tuff Enuff* (1986), *T-Bird Rhythm* (1982), and *Hot Stuff Greatest Hits* (1992). With his brother, he recorded *Family Style* (1990).

Vaughan will perform at a benefit concert during the convention (date to be announced) that will also be open to the public. The concert should appeal to blues fans and to all Libertarians, said Neale.

"Jimmie is a sweet and humble guy who likes to play the guitar," she said. "He's proud to be an LP member and says he's honored to be able to play at the convention for us."

Hotel reservations

Reservations at the Marriott Atlanta Marquis Hotel are available for the special rate of \$99 a night for single or double occupancy, \$119 for triple occupancy, or \$139 for quad occupancy. The special rates are available from May 24 to June 1, 2004.

For reservations, call (800) 228-9290 or (404) 521-0000. Mention the Libertarian Party convention to get the special rates.

Prices for convention packages and for individual events will be announced at a later date.

For more information about the 2004 National Convention, e-mail: convention@hq.LP.org. Or visit: www.LP.org/conv/2004.

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Ladies of Liberty are back in '04 calendar

Project will raise money for party's candidates

The ladies are back.

The Ladies of Liberty, that is: 16 beautiful Libertarian women who display their charms and promote their ideology in the new 2004 edition of the Ladies of Liberty calendar.

The calendar is produced by North Carolina Libertarian Rachel Mills, who created the original 2003 edition of the calendar.

"The response from the first was so overwhelming I couldn't help [offering another edition]," she said. "It proved to be such an effective outreach and fundraising tool it would have been a shame to let the momentum die."

Mills, 28, a candidate for the North Carolina House (District 31) in 2002, sold the first calendar to raise money for her campaign. An eager public snapped up more than 1,500 copies.

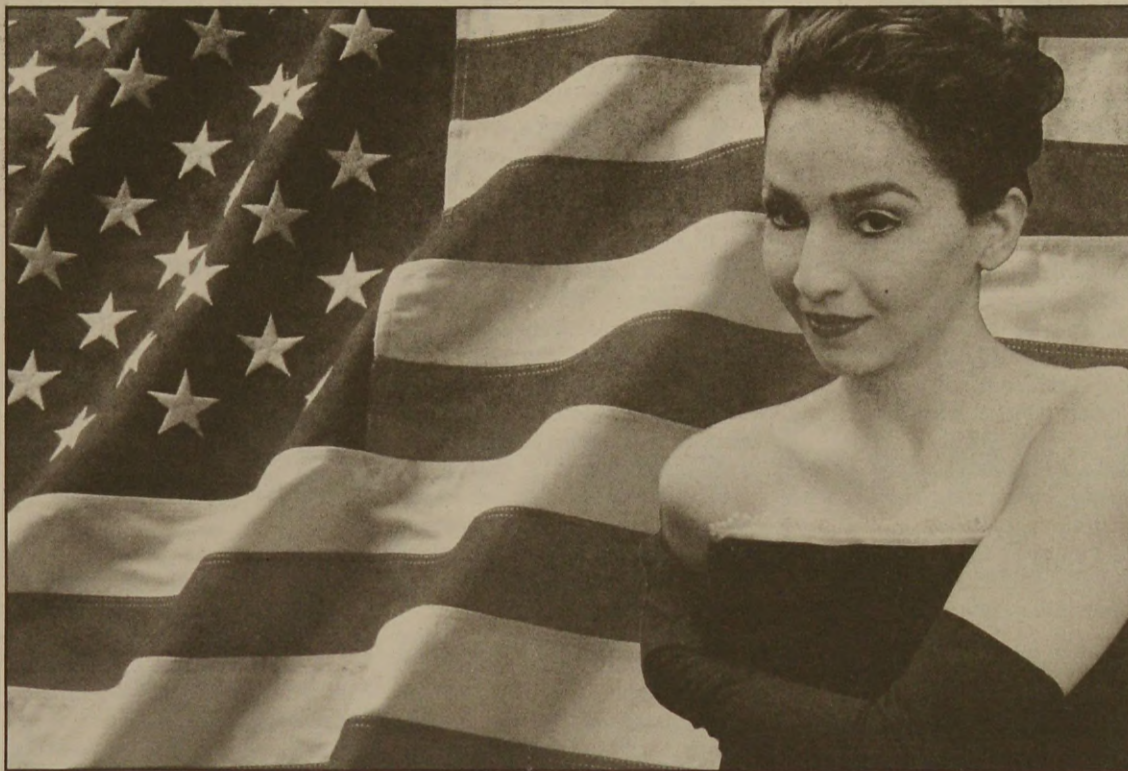
The 2003 calendar also garnered Mills national media publicity, including a stint on *The O'Reilly Factor* on the Fox cable network.

Preach the gospel

"The opportunity to preach the gospel of liberty to national audiences so many times because of that calendar will be something I will cherish my entire life," she said.

The new 2004 calendar has an old-style feel, with black-and-white photographs, and shows the Libertarian ladies posing in evening gown-style outfits, said Mills.

"The theme is 1940's glamour, in



■ Pennsylvania Libertarian Party member Rana Bakhtiari poses in front of the U.S. flag for the 2004 Ladies of Liberty calendar. The calendar, which will raise money for LP candidates, has a theme of "1940's glamour, in all black and white, so there is a sophisticated, timeless elegance about it," said North Carolina Libertarian Rachel Mills, who is spearheading the project.

all black and white, so there is a sophisticated, timeless elegance about it that goes so nicely with the sophisticated, timeless elegance of classical liberal ideas," she said.

The calendar is also national in scope, featuring women from around the country, instead of just from North Carolina, said Mills. The 15-month calendar showcases 16 models, with one month featuring twins.

"[I] have done my best to keep it fresh and different, but still echoing the same appeal," she said.

Mills said she got the models for the 2004 calendar by putting "the word out in libertarian circles all over the country," through e-mails, message boards, and websites.

"I was looking for women who were activists in the party," she said. "[They are] totally inspirational

women, from all over the country."

The message of the calendar, said Mills, is: "We are libertarian women, hear us pontificate!"

Mills said she isn't bothered by critics — including some in libertarian circles — who charged that the calendar exploits and demeans women, or trivializes the LP.

"The feminist movement doesn't do us any favor if it condemns us for

acknowledging the power we have in our femininity," she said. "You will not find empty beauty in this calendar."

"You will find beautiful doctors, lawyers, activists, and elected politicians. Beautiful entrepreneurs, mothers, students, authors, teachers, lecturers, and gun-toting grandmas. Beautiful women with beautiful minds, with their beautiful words of wisdom right there on the page with their feminine charms. We have it all."

The 2004 Ladies of Liberty calendar is available for sale through the ebay website: www.stores.ebay.com/thelibertystore. The pre-order price is \$16.50, plus shipping.

Fund campaigns

Mills said the money raised from the calendar — after covering costs of production and reimbursing the Libertarian models for their photo-shoot expenses — will go to fund LP campaigns.

The calendar will also be available in bulk quantities for LP candidates who want to use them for fundraising. The bulk price is yet to be determined, but will probably be in the \$4 to \$8 range, said Mills. Minimum bulk order will be 10 calendars.

"The calendars are to benefit the whole party, and anyone who makes the effort to be benefitted by them in their libertarian endeavors," said Mills. "See my website, www.rachelmills.com, for ways to sell calendars yourself as a candidate to fund your campaign, or to apply for a contribution for your campaign from me, from my [calendar] sales."

New Hampshire LP Chair cheers Free State choice

The New Hampshire LP State Chair says he is delighted that members of the Free State Project have chosen his state as the target of a planned mass migration of 20,000 liberty-lovers.

New Hampshire — whose state motto is "Live Free or Die" — finished first in the voting among approximately 5,000 Free State members. The result was announced on October 1.

"We won. That's fantastic," said New Hampshire LP State Chair John Babiarz. "We worked long and hard because we believe more people committed to the cause of liberty would be good not only for the LPNH but, most importantly, for New Hampshire."

Coming in second place was Wyoming, which finished 10 percentage points behind New Hampshire.

The voting, which took place via mail ballot, employed a preference voting method that allowed voters to rank all states, and selected the state

that received a higher ranking than each other state from a majority of voters.

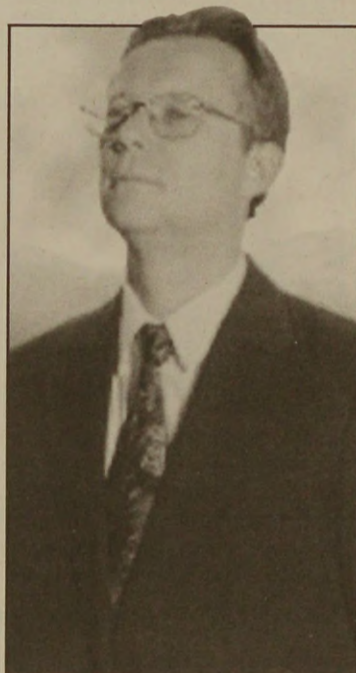
"New Hampshire is clearly the consensus choice of Free Staters," said Free State Project (FSP) President Jason Sorens. "New Hampshire won a plurality of first-preference votes from every region of the country except the West."

The runner-up states were, in order of voting preference: Wyoming, Montana, Idaho, Alaska, Maine, Vermont, Delaware, South Dakota, and North Dakota.

Move to one state

The FSP seeks to get 20,000 small-government supporters to move to one state, where they will work within the political system to create "a society in which the maximum role of civil government is the protection of citizens' rights to life, liberty, and property."

FSP members have pledged to move to the selected state once the



■ New Hampshire LP State Chair John Babiarz: "We won. That's fantastic. We worked long and hard."

group's membership reaches 20,000. FSP leaders say they hope to cross that threshold by 2006.

The Free State Project is not affiliated with the Libertarian Party. However, Libertarian state parties in New Jersey, Utah, Wyoming, Alaska, See **FREE STATE** Page 11

N.Y. Libertarians circulate anti-smoking ban petition

New York Libertarians have embarked on a petition drive to convince politicians to repeal a statewide ban on smoking in restaurants and bars.

"Libertarians are pro-choice on smoking," said former LP State Chair Richard Cooper, a nonsmoker who drafted the petition language. "Who should decide whether there should be smoking in bars and restaurants? We say the property owner, not [New York City Mayor] Mike Bloomberg or [Governor] George Pataki."

Starting on September 9, Libertarians fanned out across New York to collect signatures.

While the petition itself can't change the law, if enough people sign it, that would send a message to the legislature that voters are unhappy with the anti-smoking law, said Cooper.

The petition reads: "We the undersigned, whether smokers or nonsmokers, agree with the Libertarian Party that bans on smoking in res-

**"WHO SHOULD
decide whether there
should be smoking
in bars and rest-
aurants? We say the
property owner."
—Richard Cooper**

taurants and bars should be overturned.

"Bar and restaurant owners should have the right to decide whether to permit smoking or not on their property. The public has the right to choose whether or not to patronize or work there. The government should not interfere with their choices."

The New York state anti-smoking See **SMOKING** Page 11

POLITICAL NEWS

N.Y. Libertarians win registration rights

For the first time in history, New York Libertarians will be able to register as Libertarians.

That's because a September 18 court decision requires the state's voter registration form to be altered to allow New Yorkers to write in the name of the political party they wish to belong to, said New York LP State Chair John Clifton.

"The Libertarian Party of New York has been on the ballot in nearly every election for the past 30 years, yet our supporters have been prevented from enrolling as Libertarians," he said.

"This change in the [voter registration] form removes an artificial barrier that has held back our growth for decades. Now we can build a membership and fundraising base on a more level playing field."

Because of the court ruling, New York election officials will now accept registrations and keep records for any political organization that ran a candidate for governor in the last gubernatorial election.

However, until a party's gubernatorial candidate wins 50,000 votes, it won't be considered a "major party" by the state, and won't have its name listed on the voter registration form.

The new system is the result of a July ruling by a U.S. Eastern District judge in the case, Green Party NYS vs. NYS Board of Elections. In that decision, the judge ruled that prohibiting voters from registering in the party of their choice — even if that party was not qualified for the ballot — was unconstitutional.

Texas Libertarian gets on school committee

A young Libertarian in Texas has been appointed to an education committee — and says the opportunity to improve the school system "rocks."

Joey Dauben was appointed on September 5 to the Independent School District's Districtwide Education Improvement Committee in Midlothian, about 20 miles south of Dallas. The committee recommends changes in curriculum and procedures to the district's school boards.

Dauben, who graduated from Midlothian High School two years ago, said the committee gives him a chance to make a difference.

"It rocks," he said. "What better way to help improve education than to appoint someone who has firsthand experience?"

"The education improvement committee is something I can easily make a difference in. Having been in high school just two years ago, I can provide a fresh perspective on what's really being taught, how it's being taught, and what our students are actually doing in school. There is so much more that can be done to make education better."

In May 2003, Dauben fell short in his campaign for the Midlothian School Board by 19 votes. He is hoping to attend the University of North Texas in Denton in early 2004.



■ **Joey Dauben:**
Make difference.

LNC names convention committee members

The Libertarian National Committee (LNC) has appointed members to several committees for the upcoming national convention. At its meeting in Denver, Colorado on September 13-14, the LNC:

■ Appointed Gary Johnson (Texas) Chair of the Credentials Committee. Emily Salvette (Michigan) and Dena Breudigam (Ohio) were named committee members. Two positions are yet to be filled.

The Credentials Committee has five members appointed by the LNC and five appointed by each of the five largest states. The committee will certify convention delegates, and resolve any controversies over delegations or individual delegates.

■ Appointed Mark Nelson (Iowa) Chair of the Bylaws Committee. Ralph Swanson (Florida), M Carling (California), and Marianne Volpe (Virginia) were named committee members. Six positions are yet to be filled. The Bylaws Committee will propose bylaws revisions to convention delegates. The committee has 10 members appointed by the LNC.

■ Appointed 10 members to the Platform Committee: Lorenzo Gaztanaga (Maryland), Robert Murphy (Oklahoma), David Aitken (Colorado), Michael Dixon (North Carolina), George Squyres (Arizona), Sam Goldstein (Indiana), Bonnie Scott (New York), R. Lee Wrights (North Carolina), Trevor Southerland (Tennessee), and Steve Trinward (Tennessee).

The Platform Committee will propose Platform revisions to convention delegates. The committee has 20 members; 10 appointed by the LNC, and one appointed by each of the 10 largest state parties.

Anyone wishing to be considered for the remaining positions on the Bylaws or Credentials Committee should submit their name, the committee they wish to be considered for, and a summary of qualifications to LP Chair Geoffrey Neale at: chair@LP.org.

The 2004 Libertarian National Convention will be held May 28-31 in Atlanta, Georgia.

LNC drops dues increase plan; offers Joe Seehusen a contract

An executive director is in; a dues increase is out. A fiscal "exigency" has ended; work on a new budget has begun.

That's the capsule summary of the Libertarian National Committee, Inc. (LNC) meeting, which was held in Denver, Colorado, September 13-14.

At the meeting, the LNC:

■ Offered a permanent contract to LP Executive Director Joe Seehusen, who has been serving on a probationary basis since May.

The contract, which was unanimously approved by the LNC, grants Seehusen an \$80,000 per year salary. (Seehusen returned \$2,500 of it as a donation to the party.)

In addition, Seehusen is eligible for quarterly bonuses of up to \$5,000 — and a \$5,000 year-end bonus — if he meets targets for membership growth, increased revenue, and media coverage. The contract is effective as of September 15, and is up for renewal on June 30, 2005.

LP National Chair Geoffrey Neale said the contract reflected the LNC's satisfaction with Seehusen's performance.

"Joe brings a great deal of business background, and outside-the-LP contacts and connections," he said. "In just a very short time, we've seen what this can mean to us. Our costs our down, our revenues are up, he

"SOON OUR membership numbers will increase. That is when you want to raise dues, not when things are bad."

—Geoffrey Neale

has started valuable and beneficial customer service practices — and he's a really nice guy to boot."

■ Allowed to lapse a proposed increase in the LP's \$25-a-year basic membership dues. A motion to increase party dues to \$40 per year had been tabled at the previous LNC meeting in June.

While acknowledging that various LNC members allowed the dues-increase proposal to die for different reasons, Neale said there seemed to be a consensus that it was not the proper time to raise the price of LP membership.

"We believe that membership is close to, or already has, bottomed out," he said, referring to the LP's decrease in membership over the past

three years. "Soon our numbers will increase. Along with that will be an increase in momentum, and a renewed confidence in our direction. That is when you want to raise dues, not when things are bad."

The LNC also rejected a proposal to increase the cost of a LP Life membership from \$1,000 to \$2,500, effective January 1, 2004.

The proposal, introduced by Region 8 Representative Mark Nelson (Iowa), failed on a 6-7 vote (with 2 abstentions), with Neale casting the deciding vote against it.

■ Voted to end the state of fiscal exigency the party has operated under since December 2002.

The fiscal exigency — which reflected the LP's significant drop in revenue over the past two years, and an ongoing budget deficit — had allowed the LP Chair to sign promissory notes to borrow money for the party, if needed.

The motion, made by Region 4 Alternate Sean Haugh (North Carolina) passed on an 8-5 vote (with 3 abstentions).

Neale said the vote was close because "although we foresee no need for promissory notes, many did not want to send the message that things are good. They're not, they're [just] better."

See **COMMITTEE** Page 5



Buellton, California Libertarians submit tax 'sunset' initiative

■ Buellton, California City Clerk Dirgit Cripe (left) poses with (l-r) Libertarian Colin Hayward (back), Republican Harris Shreline and Libertarians Gail Lightfoot, Jerry McGovern, Richard Venable, Robert Bakhaus, and William Wagener on August 6.

The group had just submitted more than the required 100 signatures of registered voters to qualify an initiative to sunset every tax in the city.

If approved by voters in November, the initiative would require one municipal tax to be put on the ballot in each general election. If it failed to garner a 66% super-majority it would be repealed. Every tax would have to come up for a vote at least every 25 years.

The project, the brainchild of Bakhaus, would affect every city tax, including property taxes, hotel bed taxes, and sales taxes.

"Each generation should be able to vote on what taxes it deems proper to pay," said Bakhaus.

Buellton, which is located in Santa Barbara County, 140 miles north of Los Angeles, has a population of about 4,300.

Committee ends fiscal exigency

Continued from Page 4

The party's current financial situation, he said, "[Is] kind of like how you feel better when you get over [the] flu, but you're really not right until you rebuild your strength."

■ Announced that the LNC's Executive Committee will meet in Baltimore, Maryland on October 4-5, 2003, to fashion a 2004 budget.

The LNC unanimously voted that the Executive Committee's budget

should utilize fiscally conservative assumptions for revenue and membership numbers; that it take into account the increased media and inquiry activity during the 2004 presidential election year; and that it not neglect UMP (Unified Membership Program) funding.

On a voice vote, with some opposition, the LNC also recommended that the budget should continue to be based on a "self-funding project

model" for projects.

Neale said the Executive Committee's proposed budget, which must be approved by the entire LNC at its December meeting, will be "lean, but growth oriented."

In other actions, the LNC:

■ Defeated a motion to spend no money on the party's "branding" initiative. The motion, made by LNC Treasurer Bill Redpath, was defeated on a 3-12 vote (with 1 abstention).

■ Approved a ballot access funding plan. (See separate article on page 13). The LNC also defeated, on a 4-10 vote (with 1 abstention) a motion to make ballot access a "core" party function, rather than a self-funding project.

■ Appointed members to the upcoming national convention's Credentials Committee, Bylaws Committee, and Platform Committee. (See separate article on page 4).

■ Appointed Jeff Zweber (Ohio), Mark Nelson (Iowa), and M Carling (California) to the LP's Audit Committee. The committee will make recom-

mendations about hiring an outside auditor.

■ Approved on a voice vote a motion from At-Large Representative Mike Dixon (North Carolina) instructing Seehusen to hire a new LP News editor by January 1, 2004.

The next Libertarian National Committee meeting is scheduled for December 13-14, 2003 in St. Louis, Missouri.

The 18-member LNC is the governing body of the Libertarian Party. LNC representatives and officers are elected by delegates at the party's national convention every two years.

Roscoe earns less than 1% of Calif. vote

Continued from Page 1

"Voting results indicate California citizens are determined to pay no new taxes, to enact no stupid new laws, and to get someone to get the work of government done so to make California competitive with other states. Less government is a powerful idea to restore hope to California."

Roscoe hosted an election night campaign party in Fairfield, and said supporters watched the movie *The Last Hurrah*. The 1958 drama, based loosely on the career of colorful Boston mayor Charles Curley, stars Spencer Tracy as a politician running one final campaign.

Roscoe, 42, had been formally endorsed by the California LP on August 16. In addition to his three-part campaign slogan, he ran on a "smoker's rights" platform, hoping to attract votes from the state's 4 million smokers.

Low-budget campaign

Roscoe told the *Vallejo Times-Herald* that he ran a low-budget campaign, spending less than \$1,000 and accepting less than \$500 in donations. He also spent \$2,740 to have his ballot statement printed.

"I bet I have the lowest cost of votes per candidate," he said.

In other election news, Libertarian Jack Hickey, who had not been endorsed by the California LP, won 1,493 votes (significantly less than 1%). He finished 47th of the 135 candidates on the ballot.

Hickey said he thought his campaign gave him an effective soapbox to get out his Libertarian proposals.

"I think it's successful in what I set out to do — get out my message," he told the San Mateo County Times. "We have too much government; we need to downsize schools and restore local control, and that starts with your wallet."

Ken Hamidi, who was also on the ballot as a Libertarian but described himself as an independent, won 1,700 votes (considerably less than 1%), finishing 41st.

Together, the three candidates on the ballot with a Libertarian label won 5,200 votes.

Gary Nolan for President America's Voice of Liberty

"Our message must be one of optimism and hope for the future. We must do more than complain about the failed policies of Democrats and Republicans. We must present positive, libertarian solutions to the problems that concern average Americans. That's the kind of campaign I want to see a Libertarian Presidential candidate run. That's the kind of positive campaign I am committed to running."

Gary Nolan has been "America's Voice of Liberty" for more than a decade, reaching millions with his message of individual liberty, personal responsibility, and constitutionally-limited government.

As the host of two nationally-syndicated radio shows, Gary Nolan entertained listeners with insightful political commentary and substantive public policy debate. His "Nolan at Night" program, broadcast nightly from Washington, DC on the Radio America Network, featured numerous high-profile guests, including an entire night each week devoted to experts from the libertarian CATO Institute.

From 1997 to 1999, in addition to hosting his nightly radio show, Gary Nolan served as President of Washington-based "Capitol Watch," working to defend American taxpayers from "higher taxes and wasteful spending." He currently serves on the Board of Directors of the anti-tax group "Free the Eagle."

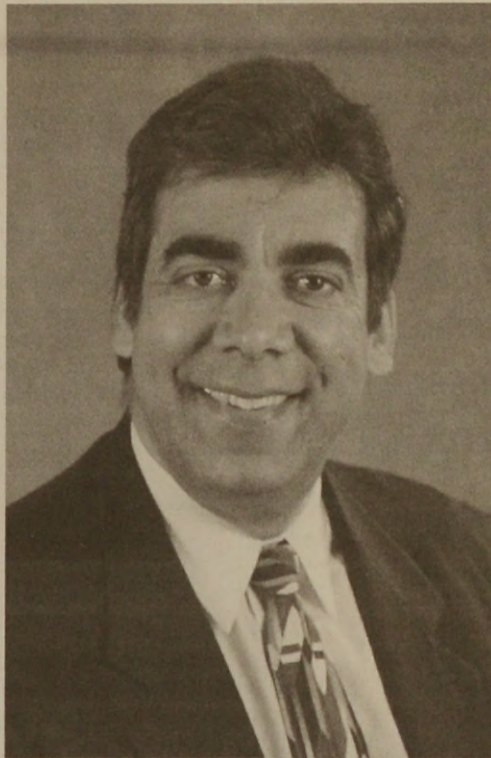
As a small businessman in Cleveland, Ohio, Gary Nolan was initially attracted to the Republican Party. Over time,

he became increasingly frustrated with their bloated budgets and continuing failure to cut spending. During a live nationwide radio broadcast in January 1999, he publicly resigned from the Republican Party and became a proud card-carrying member of the Libertarian Party.

Gary Nolan has been interviewed more than 30 times on national television, including appearances on ABC's "World News Tonight," CNN, FOX News Channel, MSNBC and C-SPAN. His media savvy & expertise on a wide range of issues make him a formidable candidate to represent the Libertarian Party as its nominee for President.

Gary Nolan has been campaigning full time across America since January 2003. He intends to use his background and experience in media and communications to present a positive Libertarian message to all Americans, build grass-

roots support for the Libertarian Party, and advance the cause of liberty. He actively seeks your support and involvement in his campaign.



Get Involved! Take a Stand! Make a Difference!

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TALKING POINTS

Seatbelts versus self-ownership, and how to defeat telemarketers

■ Try hanging up

It says something about how pampered and passive Americans have become when Congress approves and President Bush signs a bill authorizing a National Do Not Call Registry.

America has become The Country That Forgot How to Hang Up. The nation is so clueless about hardship that citizens believe it's the government's job to protect them from having to answer the phone.

I dislike telemarketing calls as much as the next person. The thing is, I've found these amazing little tricks I can use to mitigate the problem — and they don't involve the government. I don't always answer the telephone. I hang up on obnoxious telemarketers.

Guess what: They work.

— DEBRA SAUNDERS

The San Francisco Chronicle
October 2, 2003

■ Or burn it

This week the original Constitution will be on display to the public at the National Archives in Washington, DC. They figure this way maybe Attorney General John Ashcroft will get a chance to read it.

— JAY LENO

The Tonight Show
September 17, 2003

■ Last pillar crumbled

As top Bush administration officials come before Congress to justify the annual \$80-plus billion being pumped into Iraq to try to contain a worsening insurgency, new questions have arisen about why the United States invaded that country in the first place.

In the wake of remarkable statements by the president, Secretary of Defense Donald Rumsfeld, and National Security Advisor Condoleezza Rice that no evidence exists that Saddam Hussein was involved in the September 11th attacks, the last pillar holding up the administration's justification for invading Iraq has crumbled.

At a recent public forum, Deputy Secretary of Defense Paul Wolfowitz, the architect of the administration's policy in Iraq, listed three reasons for the invasion: concern about Iraq's drive to obtain WMD (nuclear, biological and chemical weapons), Iraq's links to terrorism, and Saddam Hussein's despotic regime.

By Wolfowitz's own acknowledgment before the war, Saddam's evil regime was not, by itself, a justification for the invasion. Also, in the lead-up to the conflict, the administration did not emphasize that rationale as much as the first two reasons. Only after the war, when no WMD



BOSTON'S 'BIG DIG'
highway project was
estimated to cost
**\$2.6 billion and be
completed by 1998.**

**The cost ballooned to
\$14.6 billion and it
is still not finished.**

were found, did "getting rid of an evil regime" come into its own as a main justification for war.

— IVAN ELAND

The Independent Institute
September 24, 2003

■ Child abuse

The new estimates by the federal budget office that the budget deficit this year will reach \$400 billion should be a major source of embarrassment to the Republicans in Washington.

I have said it before and will say it again: This is fiscal child abuse. Passing on costs to future generations for today's wasteful government spending is an assault on the financial well-being of our children.

— STEPHEN MOORE

Investor's Business Daily
September 2, 2003

■ Salami tactics

In 1985, government officials claimed that Boston's "Big Dig" highway project would cost \$2.6 billion and be completed by 1998. The cost

ballooned to \$14.6 billion and the project is still not finished.

In 1988, Medicare's new home healthcare benefit was projected to cost \$4 billion by 1993; the actual 1993 cost was \$10 billion.

Overspending also permeates Department of Energy contracting. A recent GAO review found that 38% of [DOE] projects examined had more than doubled in cost.

What causes the cost overruns?

A study by Danish economists published in the *Journal of the American Planning Association* last year looked at 258 government projects in

the U.S. and abroad. They found that cost overruns stem from government deceit, not honest errors.

Nine out of 10 projects in their sample had cost overruns, with an average overrun of 28%.

The study concluded that intentional deception by public officials was the source of the problem: "Project promoters routinely ignore, hide or otherwise leave out important project costs and risks in order to make total costs appear low."

Politicians use "salami tactics" whereby costs are revealed to taxpayers one slice at a time in the hope

that the project is too far along to turn back when true costs are revealed.

— CHRIS EDWARDS

Cato Daily Commentary
September 30, 2003

■ Oops. No link

President Bush, having repeatedly linked Saddam Hussein to the terrorist organization behind the September 11, 2001 attacks, said there is no evidence that the deposed Iraqi leader had a hand in those attacks, in contrast to the belief of most Americans.

The president's comments came in response to a reporter's question about Vice President Dick Cheney's assertion on NBC's Meet The Press program that Iraq was the "geographic base" of the terrorists behind the attacks on New York and Washington.

"No, we've had no evidence that Saddam Hussein was involved with September the 11th," Bush said.

— COX NEWS SERVICE

September 18, 2003

■ Oops. No weapons

U.S. search teams have dramatically scaled back their expectations for finding weapons of mass destruction in Iraq. They are now looking for a relatively small volume of chemical munitions that might be buried there, according to three U.S. intelligence officials.

Saddam Hussein's regime had no nuclear weapons and only minimal elements of a program to make them, the search teams have concluded, according to the intelligence officials.

And [the search] team has found no evidence that Iraq shipped illegal weapons out of the country — to Syria, for example — to avoid detection by U.N. inspectors, as some administration officials suggested earlier this year.

As time goes by with no discoveries, the Bush administration is under pressure to back up its prewar claims that Iraq had weapons of mass de-

struction and that they represented a threat to the United States.

— JOHN DIAMOND & BILL NICHOLS

USA Today

September 26, 2003

■ We don't work

Only a few of us really work for a living. At least, according to U.S. Senator Fritz Hollings (D-SC).

Senator Hollings says we don't make anything anymore. He says that, "At the end of World War II we had 40% of our work force in manufacturing, and now we're down to 10%. We've got 10% of the country working and producing, and the other 90% talking and eating."

Never mind this guy's contempt for non-things-makers. Let's agree that manufacturing is indeed a smaller part of the economy than it used to be. Couldn't manufacturing be getting more productive?

A long time ago, 90% or more of American adults worked on a farm. Is it really a disaster that this percentage has shrunk? What it means is that today you can plant, gather and sell wheat a lot more productively than you could in the days when it was just a horse and a plow.

Before we farmed the fields, humans were hunters and gatherers. We got our meals by plucking berries and killing game. Then the agricultural sector came along and put the hunter-gatherers out of business. A tragedy ... or an advance?

— PAUL JACOB

Common Sense

September 26, 2003

■ Who owns you?

The federal government is spending \$500 million to aggressively enforce seatbelt laws.

According to a *Consumers Research* article, about 11,000 law enforcement agencies across the country have set up random checkpoints and issued hundreds of thousands of tickets to unbelted drivers and passengers.

"Click It or Ticket" represents another bold step along the road to serfdom. Health and safety have become the American justification for attacks on liberty.

In a free society, each person owns himself. As such, he has the broad discretion to make his own choices regardless of what others think of the wisdom of his choices. He has the right to take chances with his own health and safety.

However, if it's Congress that owns him, he doesn't have those rights. Thus, the "Click It or Ticket" program is simply Congress' way of caring for its property, the American people.

— WALTER E. WILLIAMS

The Washington Times

September 10, 2003

■ We want fairness!

Some of the most popular words and phrases in politics are undefinable. That is what makes them popular and what makes them politically effective in rallying support.

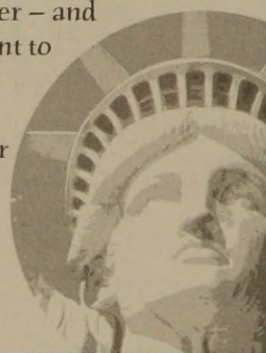
People who mean wholly different things by "fairness" or "social justice" can be brought together by politicians to serve their own ends.

— THOMAS SOWELL, TownHall.com,
September 30, 2003

"Liberty is the power that we have over ourselves."

—HUGO GROTIUS, DUTCH PHILOSOPHER (1583-1645)

As Libertarians, we want the power to live our lives as we see fit. What we don't want is government power. However, the reality is that we must work through government to curb the abuse of government power — and that's why we've made the commitment to support the Libertarian Party. But the LP has no power without your help. That's why you should please consider naming the LP in your will or insurance policy. For a private discussion of this option, call National LP Treasurer Bill Redpath at (703) 802-2978. Or e-mail him at: wredpath@his.com.



Libertarian in office earns 'For Sale' win

In a victory for "personal liberty and property rights," an elected Libertarian has won local residents the right to post "For Sale" signs on cars in their driveways.

Andy LeCureaux, a Libertarian serving on the Hazel Park city council in Michigan, convinced fellow city councilors to change a city ordinance that made it illegal to display such signs.

"Andy maintained that this restriction served no proper government interest and was an abuse of personal liberty and property rights," said Leonard Schwartz, secretary of the Oakland County LP. "So he proposed changing the ordinance."

On July 8, LeCureaux introduced a motion to change Hazel Park ordinance, section 8.28.010 (F), which had made "For Sale" signs illegal.

But when the motion came up for a vote on July 21, it ran into some resistance, said Schwartz.

"Some city officials said they would support Andy's proposal only if the amendment also required the owner to get a permit and pay a fee," he said. "But



■ **Andy LeCureaux: Overturns sign ordinance.**

LeCureaux considered this likewise improper and abusive."

Using his powers of persuasion, LeCureaux convinced the city council to support his proposal — and the motion passed on a 5-0 vote.

With LeCureaux's change, the ordinance now reads: "Parking lots, easements, alleys, driveways and yards may not be utilized for the display or offering of vehicles for sale, except ... [a] passenger vehicle may be displayed or offered for sale ... provided that [it] is currently titled in the name of the resident of the premises."

The amended ordinance went into effect on August 1.

With the win, LeCureaux has shown that even one Libertarian on a city council can have a significant effect, said Schwartz.

"A sole Libertarian not only can stop government from growing bigger, but also can eliminate foolish and unfair laws," he said. "Through the power of persuasion, a sole Libertarian can restore liberty — one step at a time."

More importantly, said Schwartz, in the city of Hazel Park, "Anyone can now place a 'For Sale' sign on a car parked in the owner's driveway. And the owner doesn't need to get a permit or pay a fee."

LeCureaux, 41, was elected to the Hazel Park city council in 2001 and is running for re-election in November.

First ever Libertarian Rock CD

"Reminded me of Clapton and Santana"

Tom Hohman - LP San Diego

"A Big Message"

Don B. - Pleasanton

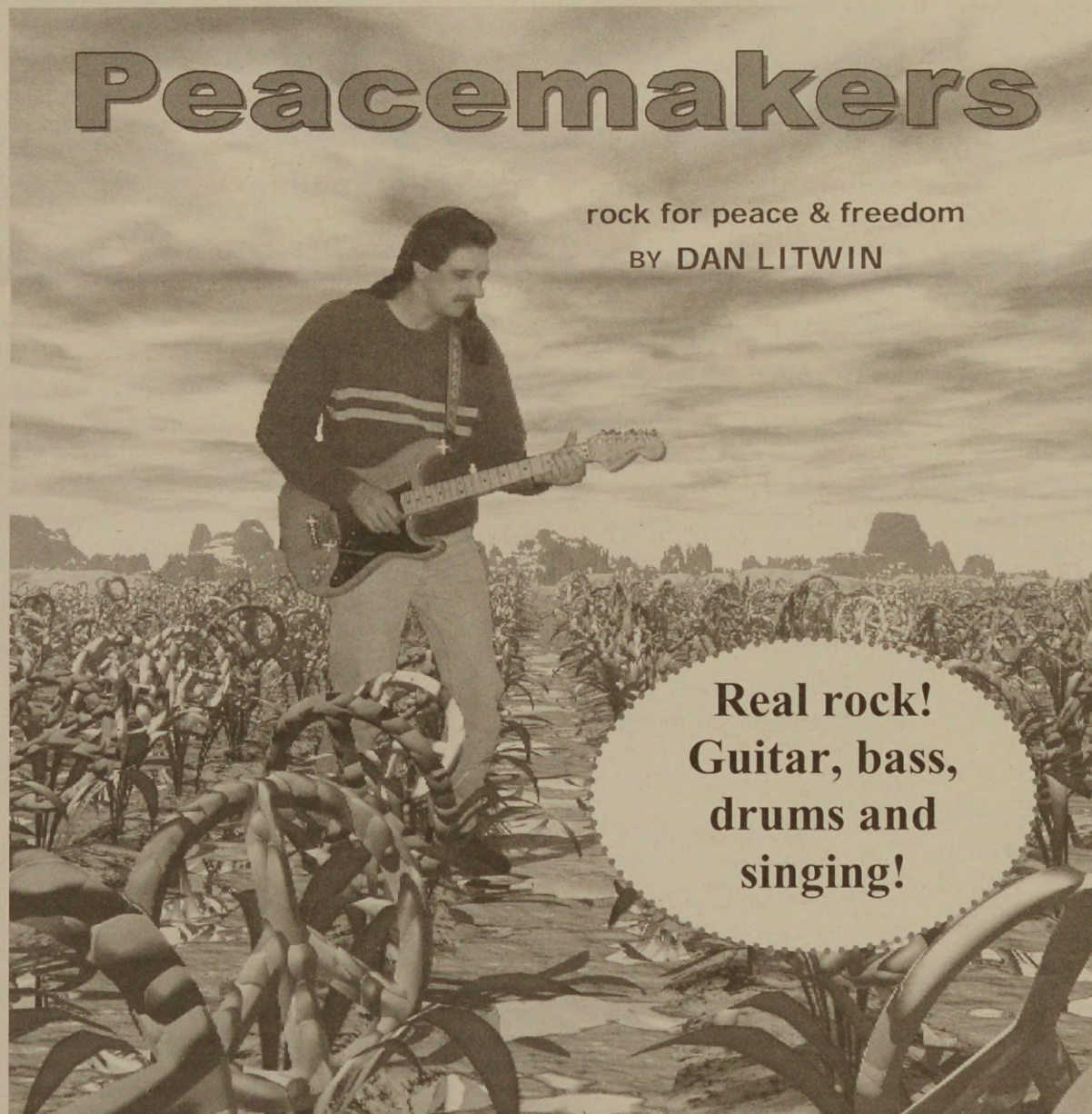
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Tina P. - San Diego

"Refreshing, entertaining..."

Marilyn P. - Spring Valley

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For media interviews with Dan, call the San Diego Libertarian Party at 858-530-1776.

AFFILIATE NEWS

LP activists busy on ergonomics, Selective Service, and 9/11 bonds

■ ALASKA

Selective Service query qualifies for Nov. ballot

What would happen if Anchorage residents tried to exempt themselves from the nation's Selective Service registration requirement?

That's a query the state Libertarian Party wants answered — so it has filed signatures to qualify the question for the November ballot.

On September 11, the state LP submitted 9,900 signatures to the Anchorage City Clerk to qualify an anti-Selective Service initiative. City law requires only 6,352 valid signatures.

If approved by voters, the initiative will direct the Anchorage city government to create a volunteer task force to study and report on the process of exempting Anchorage residents from Selective Service.

Federal law requires every 18-year-old man to register for the draft, although the U.S. government has not used the draft since the end of the Vietnam war.

That's reason enough to re-examine the issue, said Alaska State Chair **Scott Kohlhaas**.

"Twenty-five million dollars is spent annually to register 18-year-olds for a draft that hasn't been used in 30 years," he said. "President Carter reinstated the draft in 1980 in response to the Soviet occupation of Afghanistan. Today, the Soviet Union doesn't exist, and American troops occupy Afghanistan. I think we can revisit this one."

For information about the initiative, visit: www.draftresistance.org.

■ CALIFORNIA

San Mateo County party fights two tax measures

The San Mateo County LP has written ballot arguments against two parcel tax measures.

"At a time when the state's bond rating is in the tank, school districts should exercise fiscal restraint," said San Mateo County LP Chair **Jack Hickey**. "[County voters should] vote no on fiscal irresponsibility."

The two parcel taxes — Measure A and Measure B — will appear on the November 4 ballot. The taxes would raise money to reduce class size and fund remedial math and reading projects in the Menlo Park City Elementary School District.

If approved by at least two-thirds of voters, Measure A would renew a \$97-per-year tax on property at an annual cost to taxpayers of about \$742,000.

Measure B would impose an additional \$73-per-year tax on property.



Collecting ballot access signatures in Ohio

■ Ohio Libertarians (l-r) Paul Green, Michelle MacCutcheon, and Ken MacCutcheon staff an LP outreach booth at the Warren County Fair, held on the grounds of the Lebanon Raceway.

At the July 14-19 event, volunteers collected 350 petition signatures towards the 58,000 signatures required to gain the party ballot status in the state, said Ken MacCutcheon. As of September 1, the party had 45,240 signatures in hand.

Also helping at the booth were Charlie Johnson, Josh Weiteman, Carolyn DeJager, Tommy Broderick, and Jason Hallmark.

Annual cost: \$547,500.

Both taxes would just increase "the enormous tax burden placed upon them to support government schools," said Hickey.

■ COLORADO

State Libertarians plan ad campaign on benches

A new Colorado LP outreach project will soon be sitting down on the job.

That's because state Libertarians plan to launch an advertising campaign on bus benches.

The 2x6-foot mini-billboards will appear on Regional Transportation District's (RTD) benches in the greater Denver metro area, said Colorado LP Outreach Director **Rand Fanshier**.

"Just imagine the benefits our candidates will have in 2004, with the public having been exposed for a year to these professional-looking ads," he said. "Imagine how participation in [a] local LP affiliate will grow as the ad attracts voters to register Libertarian. That's what the Bus Bench Ad campaign is all about."

When the party raises the money, it will run ads that say: "Had Enough? Vote Libertarian! 1-800-ELECT-US / www.lpcolorado.org," said Fanshier. A bus bench ad costs \$600 annually.

The state party is holding a contest to determine the design of the ads, said Fanshier.

■ INDIANA

Party asks: Why is the state outsourcing jobs?

Why are Indiana politicians wasting millions of tax dollars in a supposed effort to boost the state economy — while also spending millions to hire a firm from India to upgrade a state computer?

That's the question state Libertarians are asking after the Indiana Department of Workforce Development outsourced a major computer project, rather than hire Indiana workers.

"The ironies, or, more accurately, hypocrisies, abound," said state LP Executive Director **Brad Klopfenstein** on October 2.

The controversy began after the Indiana Department of Workforce Development hired a company from India to upgrade the computer system that handles unemployment claims. The cost: \$15.2 million.

The money came from federal funding earmarked for Energize Indiana, a state government program designed to create jobs in the state, noted Klopfenstein.

"That these foreign workers will be working on the system that will provide unemployment insurance for computer programmers who do not have jobs is insultingly ironic," he said.

However, the real problem is that state politicians have driven up the

cost of doing business in Indiana, making it cheaper to outsource many projects, said Klopfenstein.

"These politicians and bureaucrats are the same people who piled high taxes and expensive regulations upon Hoosier businesses to such a high level that these companies can no longer compete on price in the world market," he said. "We would not be in this awkward place if government hadn't overreached in the first place."

■ INDIANA

Don't extend smoking bans, say Libertarians

The *New York Times* may think every city in Indiana should follow Bloomington's lead and ban smoking in all public places — but Libertarians disagree.

"The last thing Indiana cities should do is to copy Bloomington's lead," said Indiana LP Executive Director **Brad Klopfenstein**. "It's not the government's job to set cultural norms."

His comments came after a September 30 article in the *New York Times* quoted a health official who said, "One way to start changing cultural norms on smoking is to institute new [smoking] policies."

The official also applauded Bloomington's comprehensive ban, which made it a crime to smoke in all public areas and workplaces, including restaurants, retail stores, and offices. That ban went into effect on August 1, 2003.

But Klopfenstein said it shouldn't be the government's business to ban things just because they are "maligned" by a certain percentage of the population.

"Maybe these cities ought to ban coffee," he said, tongue-in-cheek. "It stains teeth a nasty shade, the smell will not stay confined to the cup, it causes bad breath, and caffeine is a health menace."

Rather than relying on more laws, said Klopfenstein, individual businesses should be allowed to decide if they will permit smoking on their premises.

"Libertarians have no problem with businesses that decide that they will not allow smoking," he said. "[Then], smokers and nonsmokers can decide for themselves whether businesses' specific smoking policies matter enough to patronize one business and avoid another."

■ MASSACHUSETTS

Punk rock fest uncovers strong libertarian trend

Punk rockers are libertarians.

At least, that's what's suggested by the results of an Operation Politically Homeless (OPH) booth, hosted by Massachusetts Libertarians at the Suburban Noise Festival on August 16 in Topsfield.

At the festival — which featured 15 punk and hardcore bands — a solid plurality of punk rock fans who took the World's Smallest Political Quiz scored libertarian, said state LP Executive Director **Kay Pirrello**.

Of the 100 or so young people who took the quiz, 37% scored libertarian and 7% scored "on the libertar-

ian border." Another 32% scored liberal, 13% centrist, 9% authoritarian, and 3% conservative.

"It was a good event for us — and a loud one!" said Pirrello. "We got a great reaction from the crowd, which liked our 'make your own decisions' message."

The Suburban Noise Festival featured Boston-area bands The Explosion, Darkbuster, The Unseen, The USM, The Marvels, Slapshot, Toxic Narcotic, and Kings of Nuthinn.

■ NEW YORK

N.Y. Times is exploiting 9/11 bonds, charges LP

The New York Times Corporation and Bank of America, which already used eminent domain laws to seize land to construct new office buildings, are now planning to use tax-funded Liberty Bonds to pay for the projects.

"These corporate welfare queens really know no limit to their hubris," said Manhattan LP spokesman **Jim Lesczynski** on September 26. "It's bad enough that these corporations destroyed thriving small businesses through blatant abuse of New York's infamous eminent domain laws."

"But now they have the gall to ask for bonds paid for with our tax dollars that were earmarked for redevelopment of lower Manhattan after September 11th."

Both the New York Times Corporation and Bank of America have applied for U.S. government tax-free Liberty Bonds, which were intended to be used to rebuild lower Manhattan after the September 11 terrorist attacks.

Previously, both multibillion dollar corporations had used the quasi-governmental Empire State Development Corporation to seize private property between 40th and 42nd Streets.

"First the Times and Bank of America stole the property they want to occupy," said LP city council candidate (District 4) **Jak Karako**. "Now they want you and me to pay for the new construction. When will the looting end?"

Online Resources for LP Members

■ Find contact info for your state Libertarian Party or your State Chair
Visit: www.LP.org
Click on: Organization
Click on: State Parties
Click on: [Your state]

■ Find contact info for the National Committee
Visit: www.LP.org
Click on: Organization
Click on: National Committee
Click on: LNC Directory

■ Renew your membership
Visit: www.LP.org
See: Special Features (left side)
Click on: Renew

PENNSYLVANIA

Montgomery LP fights 'Green Fields' initiative

The Montgomery County LP has launched a campaign to defeat a proposed "Green Fields, Green Towns" initiative that could cost taxpayers a quarter-billion dollars.

"Under the guise of preserving open space and farmland, this scheme would reward a few wealthy landowners at the expense of taxpayers," said **Charles Fournier**, the county LP's political action coordinator.

The initiative, which will be on the November 4 ballot, would authorize the county government to borrow \$150 million to purchase land as part of an "open space" program.

If approved by voters, it would increase county property taxes by 5% for 33 years. The tax hike would raise \$150 million to repay the loan, plus another \$100 million for interest payments.

"This \$150 million debt will end up costing taxpayers \$250 million," said Fournier. "[The proposed] property tax hikes will reduce real estate value [and] will disproportionately burden seniors and those on fixed incomes."

Fournier said the Montgomery County LP believes that "support for preserving open spaces can and should be privately funded. Private land conservation is already working, without burdening taxpayers."

To fight the tax increase, county Libertarians are plastering posters opposing the "Green Fields, Green Towns" plan at libraries, grocery stores, and kiosks, said Fournier.

In addition, they will distribute literature at polling places on Election Day.

"We need to spread the word that 'Green Fields, Green Towns' is a mistake," he said. "More government will not increase access to open spaces."

VERMONT

State LP speaks out in defense of 'pirate' radio

The FCC should leave a small, 10-watt community radio station alone — instead of acting like a "thuggish enforcer for special interests" and threatening to put it out of business.

So said the Vermont LP on September 9, after the Federal Communications Commission (FCC) notified Radio Free Brattleboro that it planned to seize the station's equipment and shut it down.

"By seeking to quash local community broadcasting, the FCC has become a thuggish enforcer for special interests," said Vermont LP State Chair **Brendan Kinney**. "The airwaves should be freely available to all citizens as long as a citizen's use does not interfere with the rights of others."

The station, which has more than 100 volunteers, can only be received within the town. However, Radio Free Brattleboro is considered by the FCC to be a "pirate station" because it does not have a federal license.

But the FCC — which was created by Congress to regulate interstate communications — shouldn't waste taxpayers' money on such local issues,



Libertarians host outreach at popular California farmers' market

■ **Gail Lightfoot**, a 2004 candidate for the U.S. Senate in California, and LP activist **Gary Kirkland** hand out copies of the *Libertarian Viewpoint* at the San Luis Obispo Farmers' Market in July.

"Gary has been setting up a booth for the Libertarians for years," said Lightfoot. "His helpers come and go — but the booth is always there."

The San Luis Obispo Farmers' Market was named one of the "Best 50 Spots in the West" by *American West Travelogue*, and attracts daily crowds of up to 10,000 people during the summertime.

said Kinney.

"The FCC should have no interest in regulating purely local short-range use of the public airwaves," he said. "Any regulation of in-state and local airways, when required to prevent misuse, should strictly be a state and local matter."

VIRGINIA

Virginia party votes to oppose USA/Patriot Act

The Virginia LP has voted to oppose the USA/Patriot Act, charging that it "poses a grave threat" to Americans' liberties.

On September 5, the Virginia LP's State Central Committee voted 8-0 to reject the anti-terrorism bill, said Virginia LP webmaster **Chuck Eby**.

"The Libertarian Party is fully supportive of the government's efforts to protect us from further terrorist attacks, but the Justice Department has so far failed to demonstrate how the Patriot Act's powers could have stopped the attacks of 9/11," he said. "And Attorney General John Ashcroft has admitted before Congressional inquiries that the potential for law enforcement abuses against American citizens is present."

"Security must not be bought at the price of the basic freedoms that make America great — and that's why the LPVA wants to be a key player in the movement to shut the act down."

Eby said the USA/Patriot Act "broadly expands law enforcement powers and poses a grave threat to the privacy and freedom of peaceful Americans everywhere with frightening provisions like expanded 'sneak and peek' searches, which do not require the search victim to be notified."

"The act also decreases the role and independence of the court system, threatening American checks and balances meant to protect citizens from abuse of power," he said.

VIRGINIA

Tidewater Libertarians lose free speech lawsuit

The Tidewater LP has lost a lawsuit that charged the president of Old Dominion University (ODU) with violating its First Amendment rights.

On September 3, U.S. District Judge Henry C. Morgan Jr. in Norfolk ruled that ODU President Roseann Runte has immunity from such lawsuits, and dismissed the case. The judge did not rule on the merits of the lawsuit.

Tidewater Libertarians blasted the decision.

"The 'qualified immunity doctrine' used by Judge Morgan to dismiss the suit does not appear in the Civil Rights Act or any other federal statute, but is a judge-made law," said Tidewater LP Communications Director **Robert K. Dean**. "The First Amendment suffered a major setback."

Libertarians filed the lawsuit after Tidewater LP member **Brian Babb** and Ax The Tax Coalition member **Ronald DiRocco** went to the Ted Constant Convocation Center on the ODU campus in Norfolk in October 2002. The two men handed out pamphlets that encouraged people to vote against upcoming transportation and education tax referendums.

Two Convocation Center employees told Babb and DiRocco that the university's "no solicitation" policy prohibited distribution of literature without prior approval by the administration.

Such a policy violated the First Amendment's free speech protections, Libertarians charged in the lawsuit.

However, Judge Morgan ruled that Runte, who is employed by the state government, has qualified immunity from lawsuits.

WASHINGTON STATE

State party will support ergonomics repeal effort

The Washington LP State Executive Committee has voted to endorse Initiative 841, which would repeal the state's "potentially costly and controversial ergonomics regulations."

The executive committee took the action at its September 13 meeting in Ellensburg. The vote was unanimous.

"Committee members pointed out that the costs of complying with the [ergonomics] rules fall disproportionately on already-stressed small and family-run businesses," said state LP Executive Director **Brien Bartels**.

Initiative 841 will appear on the November 2003 statewide ballot.

If approved by voters, the initiative would repeal the state's ergonomics regulations, and direct the state "not to adopt any new regulations relating to ergonomics unless it becomes necessary for the state to meet a uniform federal standard."

The ergonomics regulation was adopted in 2000 by the state Department of Labor & Industries. It requires employers to reduce employees' exposure to ergonomic injury hazards to the extent "technologically and economically feasible."

Initiative 841 will cost state businesses an estimated \$725 million in the first year alone, said a state Building Industry Association.

WASHINGTON STATE

Quizzing the candidates gets press for county LP

Did you ever wonder how local Republican and Democratic candidates would score if they took the World's Smallest Political Quiz?

Chair of the Whatcom County LP **Bruce Guthrie** did — so he sent the Quiz to nine candidates for Bellingham mayor and city council.

When eight of the nine responded, he wrote an essay explaining the Quiz for the *Bellingham Herald*, complete with a chart showing how the candidates scored.

The resulting spread — covering 72 column inches on the *Herald's* Opinion page on August 30 — was a "coup" for local Libertarians, reaching 50,000 readers, said Guthrie.

It also gave local voters "a feel for the political orientation of the candidates," he said.

Of the five candidates for mayor, three scored libertarian, one centrist, and one was at the intersection of liberal, centrist, and libertarian. Of the three city council contenders, one scored libertarian, one centrist, and one conservative.

The Quiz, which is distributed by the Advocates for Self-Government, measures political beliefs on a four-way libertarian, liberal, conservative, and authoritarian quadrant.

WEST VIRGINIA

State LP files lawsuit to reform ballot laws

The West Virginia LP and its would-be gubernatorial candidate have filed a federal lawsuit to change state law — and make it easier to qualify for the election ballot.

On August 29, the state LP and **Simon McClure**, its prospective candidate for governor, filed the suit in U.S. District Court in Clarksburg.

The lawsuit seeks to strike down two sections of state election law that Libertarians said violate the First and Fourteenth Amendments.

The first provision requires volunteer or paid petition circulators to obtain credentials from a county clerk before collecting signatures. That provision violates circulators' right to "participate anonymously in the political process," said the lawsuit.

The second section requires petitioners to tell voters that if they sign the petition, they cannot vote in the state's 2004 primary. However, the lawsuit charged, that requirement is contradicted by a 1999 law.

In the lawsuit, Libertarians asked the court for permanent injunctions against both provisions.

To qualify for the November ballot, Libertarians need to collect signatures from registered voters equal to at least 2% of the vote cast for governor in the 2000 election — or about 13,000 signatures.

Miss Liberty's Guide to Film and Video

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THE REVIEW

Common sense on cloning

■ *The Naked Clone: How Cloning Bans Threaten Our Personal Rights*, by John Charles Kunich. 172 pages. Praeger Publishers. Hardbound, \$39.95. Available at: www.amazon.com.

Reviewed by Bill Winter
LP NEWS EDITOR

The same week I received a copy of *The Naked Clone*, I saw a coming attraction for the movie, *Godsend*. It's the kind of film that drives John Kunich nuts.

The movie, due in December, concerns a couple whose son is tragically killed. In despair, they turn to a maverick scientist who clones the child. All goes well until the clone child reaches the same age as the original son when he died. At that point, spooky things begin to happen to the clone, who, of course, is named Adam.

As far as Kunich is concerned, it's this kind of nonsense that has created a climate of fear and loathing about cloning among the general public — and even more so among politicians.

As a result, six states have passed bans on cloning; the U.S. House approved anti-cloning legislation; and the President's Council on Bioethics endorsed a permanent moratorium on human cloning.

That's why Kunich wrote *The Naked Clone*: "To change the direction of the legal debate on cloning." (The title comes from the fact that any cloned child would be "naked in the sense of being devoid of protection, stripped of legal rights.")

Kunich, a law professor at Roger Williams University in Rhode Island, takes a libertarian approach to the issue, arguing that a ban on cloning endangers "core constitutional liberties." But first, he tries to debunk the muddled thinking that has spawned such a visceral anti-cloning reaction. "Much of the animosity has been on the level of unfounded fear [and] science-fiction fantasy," he writes.

For example, Kunich takes a swipe at clichéd cloning debates: One side warns about a cloned army of evil Hitlers, while the other promises a cloned basketball team full of dazzling Michael Jordans.

Both are unlikely, if not impossible. To create an army of evil Hitlers, you need to find usable Hitler DNA (doubtful), transplant viable Hitler embryos into an army of willing women (improbable), and then raise the army of children with the same historic influences that psychologically warped the real Hitler (impossible).

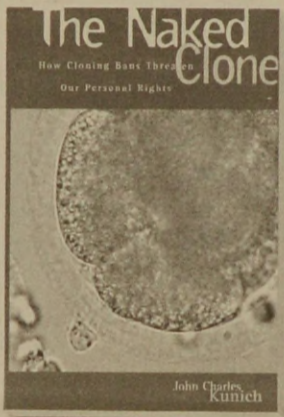
Cloning Jordan might be easier, but comes with no guarantees. In one of the book's cleverest sections, Kunich compares the major league records of Jose and Ozzie Canseco, who are identical twins (nature's clones). Despite having the same DNA, Jose played for 17 years in Major League Baseball and hit 462 home runs, while Ozzie played three years and hit zero. "Obviously, there was more to the making of a baseball star than genetic identity," writes Kunich.

The book has several other interesting components. Kunich offers a concise history of cloning research; explains how it works; and details the difference between reproductive cloning (creating a new organism) and therapeutic cloning (using specialized cells to create replacement organs, for example).

In the most powerful section, Kunich makes the case for cloning freedom. He argues that banning human cloning violates the Fifth and Fourteenth Amendments, which prohibit the government from improperly depriving citizens of "life, liberty, or property." Since the Supreme Court has ruled that procreation is a "basic civil right," it would be difficult to justify banning a method that infertile couples might use to have children, he points out.

The Naked Clone has its drawbacks. Kunich includes the actual text of American anti-cloning laws (15 pages), as well as extensive details about foreign countries' cloning laws (20 pages). Were this a cloning law class textbook, it might be appropriate. For the average reader, it's TMI (Too Much Information). Also, his writing veers between deadly earnest and oddly flippant, and can be repetitive.

Quibbles aside, *The Naked Clone* is a valuable work about the collision of politics and science. It is one of the few books that makes an impassioned plea for politicians to cease standing athwart science, yelling, "Stop!" Such a commonsense viewpoint deserves to be more widely heard. In fact, it deserves to be cloned.



Georgia Libertarians lose in Clayton County SPLOST vote

A low voter turn-out, tempting pork, and the "fear factor" conspired to hand Clayton County Libertarians in Georgia a loss in their campaign to defeat a proposed SPLOST.

On September 16, voters in Clayton County approved a Special Purpose Local Option Sales Tax (SPLOST) that will cost taxpayers approximately \$240 million over five years.

The vote was 60%-40% in favor of the tax. Only 10% of registered voters participated in the special election.

The SPLOST will raise the county sales tax by 1 cent, from 6% to 7%. The Clayton County Commission proposed the tax, which will fund roads, six recreation centers, a senior center, and other projects in the north-west Georgia county.

Wasn't enough

Although Clayton County and Henry County Libertarians had engaged in a vigorous two-month campaign to defeat the SPLOST — distributing literature at 5,200 homes and posting more than 200 yard signs — it wasn't enough, said Clayton County LP Chair Philip Bradley.

"We can attribute the loss to a number of factors," he said. "First, we were simply outspent. Early estimates put the county's [pro-tax] spending at \$40,000 to \$50,000. We

LOCAL POLITICIANS
"made it a point to threaten homeowners with higher property taxes if the SPLOST tax was not passed."
—Philip Bradley

raised and spent about \$2,000."

Second, said Bradley, the "fear factor" worked against Libertarians, because local politicians "made it a point to threaten homeowners with dramatically higher property taxes if the SPLOST tax was not passed."

"Voters told us on any number of occasions that it was that threat specifically which was driving their motivation to vote for SPLOST," he said. "That kind of fear is hard to overcome."

Finally, the County Board of Commissioners learned from the defeat of a similar SPLOST in 2002, said Bradley.

"[This time], the Board of Commissioners decided to add \$40 million in pork projects to the initiative, hoping that voters would ignore the high price tag and vote for the rec-

centers and other items," he said. "The senior center was added because, according to the county commissioners, 'Seniors vote.'"

Clayton County Libertarians had worked against the SPLOST because local residents couldn't afford to pay more taxes, said Bradley.

"We felt that it was the wrong time to ask voters to raise their own taxes by nearly a quarter-billion dollars," he said. "The [Atlanta] metro area economy hasn't even started to recover yet. People are still being laid off from their jobs and more families are moving out of Clayton every day."

Will stay active

Despite the setback, local Libertarians will stay active, said Bradley.

"Now that the SPLOST vote is over, we'll focus on our city council candidates and the November 4 election," he said.

In nearby Cobb County, voters approved, by a 78%-22% margin, a SPLOST that will cost taxpayers an estimated \$670 million over five years. Only 14% of county voters turned up at the polls.

The election means that the Cobb County sales tax will remain at 5%, instead of falling to 4%, as scheduled.

The Georgia LP's 2002 candidate for governor, Garrett Michael Hayes, had served as the spokesman for Cobb Citizens For Tax Relief, which campaigned against the tax.

Michael Badnarik for president



2004 is a year of opportunity for the Libertarian Party and the freedom movement. The Bush administration has forsaken the public's trust; the Democrats are floundering in their attempts to find a candidate who can regain it. This is a year

when the Libertarian Party can make real gains -- if we nominate a candidate who speaks clearly, passionately and with integrity to the issues of the day. Michael Badnarik is that candidate. And it's time to go to work.

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Kathryn A. Graham

Texas director, Armed Females of America; author, Flight from Eden

Thomas L. Knapp

Publisher, Rational Review

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Libertarian activist and founder of the Free State Project

Vernice Kuglin

The libertarian who took the IRS on in court -- and won

Bernard von Nothaus

Architect of the Liberty Dollar

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one heart at a time!*

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President campaign

N.H. is good Free State choice, says LP State Chair

Continued from Page 1

Delaware, Vermont, and New Hampshire have passed resolutions endorsing the project.

Free State Project Vice President Elizabeth McKinstry said it was "not difficult to see the reasons" why New Hampshire won.

"The state boasts the lowest state and local tax burden in the continental U.S., the leanest state government in terms of government spending and employment, a citizen legislature, a healthy job market, and perhaps most important, local support for our movement," she said.

"Come on up."

Earlier this year, New Hampshire Governor Craig Benson (R) had invited Free State Project members to "come on up. We'd love to have you."

In a later written statement, Benson said he welcomed an influx of liberty-minded citizens.

"As with all new citizens, I expect they will be positive contributors to New Hampshire, and I welcome them," he said.

However, some New Hampshire politicians said Free State Project members were "anarchists" who

planned to take over the government.

LP State Chair Babiarz rejected that charge.

"We're not here to invade or take over," he told the Associated Press. "We're here to restore the American dream."

Babiarz said the New Hampshire LP is already working to welcome Free Staters who are ready to move.

"We are helping to find information for those who want to move to

NH," he said. "We are in the process of setting up courses for our new neighbors so that they can become familiar with retail politics in New Hampshire."

The party may try to steer incoming Free Staters to Grafton County and Coos County, two mid-state counties with low populations and plenty of space, said Babiarz.

Also, he said, the town of Claremont (population: 13,000) has

been selected to be a center of Free State activity. The town, on the state's western border with Vermont, is about 60 miles northwest of Concord, the state capital.

"We think Claremont has an undervalued economy, and we like to look at things in the long term," Babiarz told the Associated Press. "Cities like Manchester, Nashua, and Portsmouth might be too big for us to really make a difference. But

Claremont is smaller, so we would not be drowned out."

New Hampshire has about 1.2 million residents, so 20,000 Free State Project members would represent about 1.6% of the population.

The Free State Project currently has 5,454 members, including some from outside the United States.

For additional information about the Free State Project, visit: www.freestateproject.com.

N.Y. Libertarians circulate petition on smoking ban

Continued from Page 3

law — which has been called "one of the nation's most stringent smoking bans" — went into effect on July 24. The law banned smoking in virtually all buildings open to the public.

In the Big Apple, the city government made it illegal to smoke in all workplaces, including offices, bars, and restaurants, effective March 30.

However, Libertarians said that individuals and businesses — not politicians — should determine who can smoke, and where.

"Private property rights, individual liberty, free markets, and personal responsibility should guide public policy on smoking," said Cooper. "Smoking bans suffocate a person dedicated to freedom of choice like myself, although I don't like smoking. Whether to work at or patronize an establishment permitting smoking is a choice, too."

New York LP State Chair John Clifton, a nonsmoker and former drug abuse counselor, agreed that the smoking bans violate freedom of choice.

"The city and statewide restaurant ban on smoking is a blow to free choice for all New Yorkers, whether they smoke or not," he said.

If the petition drive doesn't convince state legislators to take action against the law, said Cooper, "The handwriting is on the wall for Americans who cherish freedom and personal responsibility — not just smoking."

Dear Freethinker

You've probably heard people refer to you as "a loner" or "peculiar" just because you spend your free time as you choose—and because you choose to spend your free time with only the few persons you really like.



Maybe people have even called you "odd" or "weird" or "crazy" just because you find solitude and your own thoughts to be the best of all companions.

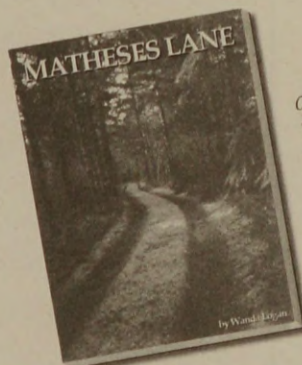
Possibly, during a mellow moment of concern for your fellow man, you have considered the unthinkable: making a public apology for your unique lifestyle.



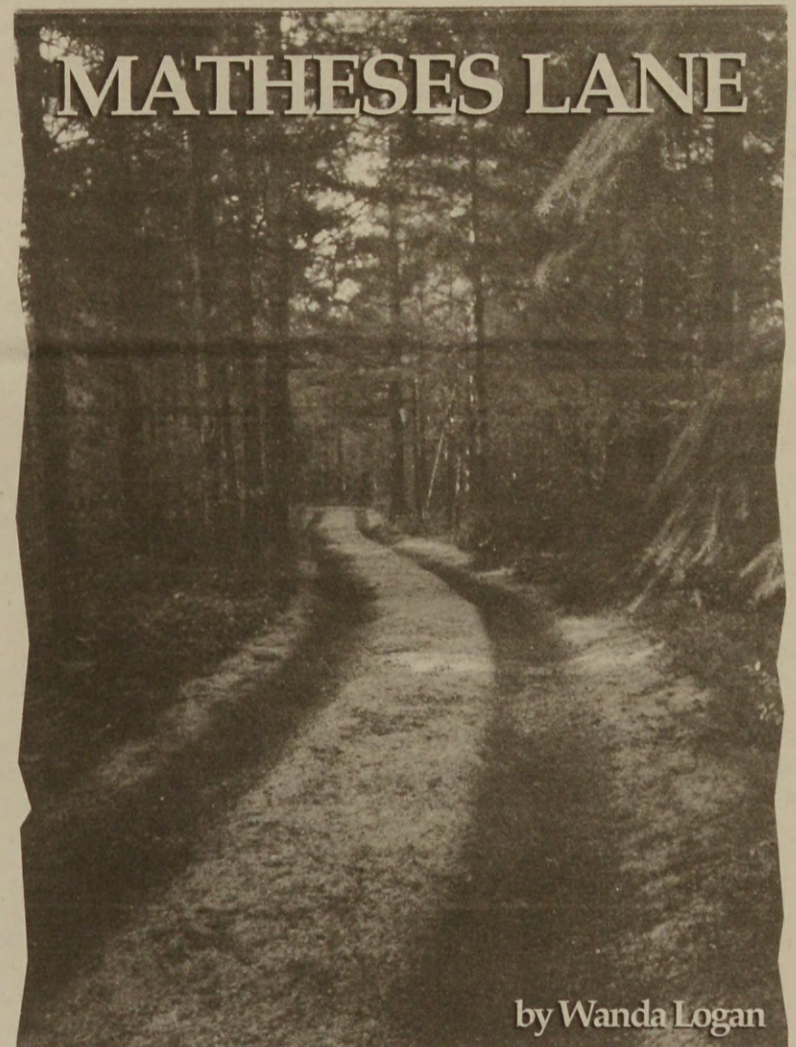
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NEWS BRIEFS

Michigan County LP seeks election probe

The Oakland County LP has asked the state's attorney general to investigate allegations that the Pontiac School Board illegally lobbied in favor of a school bond ballot proposal.

On September 16, the county party sent a letter to Attorney General Mike Cox and Secretary of State Terri Lynn Land charging that the school board improperly used "public resources" to support a \$455.4 million bond proposal.

"We investigated newspaper ads, direct-mail advertising, and their website, then consulted with our attorney," said Oakland County LP Chair Nathan Allen. "We determined there are grounds to request an investigation and civil action from authorities, and possibly grounds for criminal action against the school board members themselves."

In the letter to the attorney general, Allen charged that the Pontiac School Board violated MCL 169.257(1), which states: "A public body ... shall not use or authorize the use of funds ... or other public resources to support or oppose a ballot question."

Despite the law, members of the Board of Education spent public funds for newspaper advertisements, mailings to voters, and a website supporting the bond proposal, the letter stated.

Voters ended up rejecting the bonding plan on September 23 by an unofficial margin of 66.4%-33.6%. Had it passed, the 30-year bonds would have paid for a massive overhaul of the Pontiac school system.

Author promotes book with online LP quiz

A Libertarian author is using an innovative method to promote her new book: She's giving away a free copy each month to one person who can successfully answer five questions about the Libertarian Party.

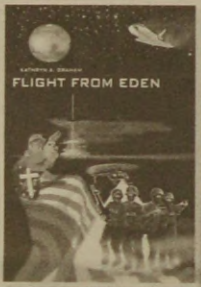
Kathryn A. Graham, author of the science fiction novel, *Flight From Eden*, said she is holding the contest not only to publicize her book, but also to spread the word about the LP.

"The goal here is to educate the average man or woman on Libertarian beliefs and goals," she said. "I do firmly believe that the only U.S. political party in existence today that truly understands freedom is the Libertarian Party."

The contest — at www.flightfromeden.com — requires contestants to correctly answer five multiple choice questions about the Libertarian Party and Libertarian principles. One winner is drawn at random each month to receive an autographed copy of the book.

Flight From Eden, published by The Writers Collective in April 2003, takes place in a future United States controlled by a religious dictatorship. The 369-page book, available in paperback, costs \$13.95.

In addition to being an author, Graham is a private investigator and a Second Amendment activist. She lives in Texas.



Michael Dukakis snubs LP debate challenge

Former Democratic presidential candidate Michael Dukakis has declined to respond to an invitation to debate Carla Howell about her 2002 tax-cutting initiative.

"Silence isn't always golden. Sometimes it's yellow," said Howell in response to the snub.

Howell, the 2002 LP candidate for governor, had challenged Dukakis to a debate after the one-time Massachusetts governor and 1988 Democratic presidential candidate wrote an op-ed in the *Boston Globe* suggesting that the voters who supported Question One didn't properly understand politics.

In his September 8 column, Dukakis (with Northeastern University professor Larry Overlan) used the fact that Question One won 45% of the vote as evidence that more college and high school classes about state and local governments were needed.

Currently, suggested Dukakis, there may be "a gap between what people believe they are receiving for their tax dollars and what they are actually getting."

In an open letter to Dukakis, who teaches political science classes at Northeastern University, Howell disagreed.

"If every Massachusetts voter were fully informed on the costs, consequences, and impact of our state government programs and services, our ballot initiative would have won with 75%," she wrote.

Howell challenged Dukakis to debate the issue.

"Invite me to personally make my case to your Northeastern University classes in state and local government," she proposed. "I will happily demonstrate why small government is beautiful."

Not surprisingly, "Dukakis ignored [my] request to speak to his students," she said.



■ **Carla Howell:**
Silence is yellow.

North Dakota LP State Chair joins tax question campaign

A North Dakota Libertarian has joined a "penta-partisan" effort to give voters the power to reject any taxes increases.

Keith Hanson, State Chair of the North Dakota LP, has become one of 28 sponsors of a proposed constitutional amendment that could appear on the November 2004 ballot.

If approved by voters, the measure would require 60% of voters in any political entity — town, county, or state — to ratify any proposed tax increase.

"We are all really excited about this," said Hanson. "This is a very winnable measure, and it will help chain down our spendthrift politicians. This will keep more money in the hands of the hardworking citizens who earned it."

"It will [also] make the politicians more accountable to the citizens by making them come before us and explain why a tax increase is needed."

The initiative also has the support of members of the state's Reform, Constitution, Republican, and Democratic parties — meaning that five of the state's political parties are involved in the effort.

The citizen's group promoting the initiative, Protect and Empower the People (PEP), has until August 1, 2004 to collect approximately 26,000 signatures to qualify it for the ballot.

The plan is to "petition at events where there are a lot of people, such as ball games, fairs, trade shows," said Hanson.

Committing time

The North Dakota LP is "committing time and coordinating volunteers" to the initiative campaign, said Hanson. In addition, Hanson is designing and maintaining the PEP website.

The measure, which was submitted to the secretary of state's office in Bismarck on August 18, would add a new section to Article X of the North Dakota Constitution.

The measure reads: "Neither the state of North Dakota nor any political subdivision thereof shall increase taxes without first submitting said

"THIS IS A VERY winnable measure."

This will keep more money in the hands of the citizens who earned it."

—Keith Hanson

increase to the voters for their approval. The increase shall be permissible only with an approval by not less than sixty percent (60%) of those voting in the affected political subdivision."

PEP spokesperson Charlene Nelson

said, "The measure is an attempt to curb spiraling state and local spending, which contributes to North Dakota's out-migration and stagnant economy."

Since 1995, state spending has increased from \$3.6 billion to more than \$5 billion, noted Nelson.

If the measure passes, it would empower state citizens and throw a major roadblock in front of any efforts to raise taxes, said Hanson.

"Our politicians in Bismarck care more about special interests than the general welfare of all the people of this state," he said. "It's time for the citizens of North Dakota to hold their representatives accountable. It's time for them to take back their hard-earned money."

For additional information about the proposed PEP initiative, visit: www.protectandempower.org.

What They're Saying About The Free State Project:

"I think FSP is a TERRIFIC idea. I know a lot of people have botched 'new country' and 'let's take over a county' ideas, but FSP is different. Not only do they have the best plan I've seen for actually making it happen, it's one that doesn't ask people to front a bunch of cash or risk making any moves, until a critical mass has been reached. Even if it's a long shot, the chance of having an example of freedom at work — that 'shining city on the hill' — is too good to pass up."

Louis James, free-market.net

"Who has not dreamt of a place in which common sense and mutual respect replace most of the laws on the books and people don't need the threat of government in order just to behave themselves? But how many have ever done anything about it?"

Keith Olbermann, MSNBC

"What can be done now? Are there any signs that those Americans who want to unconstitutionally control the lives of others are going to let up soon? I say no, but there's a peaceful resolution proposed by Free State Project, whose motto is, 'Liberty in our lifetime.'"

Walter Williams, economist and author

"A free state might show the rest of the world what can be done ... Let's think seriously about this."

Claire Wolfe, libertarian author

NOTICE

Due to an error at the mailing facility that sends out LP renewal notices, some LP members recently received erroneous notices that their membership had lapsed. "We regret any inconvenience this caused," said LP Affiliate Services Representative Dianne Pilcher. "If you think you may have received an incorrect notice, look above your name on the LP News label to see your correct membership expiration date."



www.freestateproject.org

LNC announces ballot access strategy

The Libertarian National Committee (LNC) has announced a new ballot access "master plan" that prioritizes which states will get help from the national party for the 2004 election cycle.

At the same time, the plan includes the long-term goal of getting the national LP completely "out of the ballot access business."

The plan, which was distributed to LP State Chairs on September 21, was created because the national party is still suffering from a lack of cash, said LP Chair Geoffrey Neale.

"[The party has] limited resources," he said. "As such, we must prioritize which states to assist, and how much to assist."

Using the prioritization algorithm in the plan, the states which may qualify for help are Oklahoma, West Virginia, Connecticut, the District of Columbia, Illinois, Kentucky, Maine, Ohio, Texas, North Dakota, and South Dakota.

According to LNC figures, it will cost the party about \$325,000 to gain ballot access in those 11 states. The two most expensive states (Oklahoma and West Virginia) will cost \$154,000, while the remaining nine will cost about \$170,000.

However, even the priority states won't get any help unless the national LP can raise enough money in advance to pay for the drives, said Neale.

"The agreed stricture is that we will not spend a penny until we're assured we have the funds to finish a drive," he said.

On their own

To qualify for assistance, state parties will be expected to collect or pay for a significant number of ballot access signatures on their own, and will have to submit a written ballot access plan to the national LP.

States which don't qualify for financial assistance will still get legal advice, recommendations about hiring petitioners, and petitioning advice from the national LP, said Neale.

The plan, which was approved by the LNC at its June meeting, is based on several assumptions, said Neale:

■ The ultimate goal of the plan is to get the LNC out of the ballot access business. "As such, one of our primary interim goals must be the transfer of knowledge to state parties," he said.

■ The national LP "will not spend a single cent in any single state until we have achieved the financial means to complete the state," he said. "Money spent on unsuccessful ballot access measures is wasted."

■ The national LP will "assist states in achieving ballot access, not do it for them," he said.

To determine which states qualify for assistance, the plan employed a

complicated algorithm that factored in cost, difficulty, demographics, and state laws.

State parties get high priority if:

■ They can earn full-party access rather than just candidate access. Full-party access usually allows state organizations to run larger slates of candidates.

■ They can get the "Libertarian" label on the ballot. States that list

an LP candidate as an "Independent" will get lower priority.

■ Have the ability to retain ballot status through the next election cycle by winning enough votes in the 2004 election. "Whether or not ballot access through election results is achievable [is] a factor," said Neale.

■ Are in a state with a larger population.

■ They have a track record of run-

ning a large number of candidates.

State parties that are willing to do more on their own to earn ballot access are also more likely to get help from the national LP, said Neale.

"Every state can improve its priorities by committing to be responsible for more than the assistance threshold," he said.

Because the LP's 2004 ballot access effort is self-funded — that is,

the party will not spend more money than it specifically raises for the project — it's up to LP members to determine how many state ballots the LP presidential candidate will be on, said LP Ballot Access Coordinator William Redpath.

"Your response will determine whether we are on the ballot in 39 states, 50 states, or somewhere in between," he said. "This is the year that you get to decide."

To contribute to the LP's 2004 ballot access fund, visit www.LP.org and click on the "Contribute" button.

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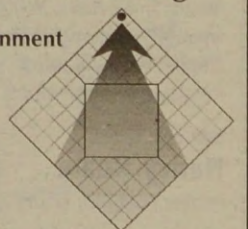
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Be a part of political history!

I hope you've cleared your calendar for May 27-31, 2004 to be in Atlanta. I'm having an exciting time talking with potential speakers and entertainers. So I want to get you excited about coming to see and hear and meet these great people. One of my Committee's challenges will be deciding who *not* to include because we have so many wonderful choices.

There seems to be many notable people "coming out of the woodwork" (or maybe the closet?) as libertarians.

I've been around the LP for 25 years, and our ideas that used to be taboo are now being adopted by non-libertarians and becoming topics of the mainstream. We may never get credit for this, but we can be proud, knowing that the LP has in fact affected public debate. So let's "keep on keepin' on!"

I recently spoke with LP founder David Nolan, creator of the two-dimensional "Nolan Chart." (*Thank you, David!*) He predicted many years ago (and wrote about it) that sometime around the year 2004 the LP would experience a critical turning point. He based this prediction on a historical 72-year cycle of political upheavals, resulting in a paradigm shift in the political scene. *Our time is coming!*

There are signs we may finally break the glass ceiling that has kept the LP in the margins of the political arena. (Sorry for the mixed metaphor.) We see many positive signs of this — just read the pages of this publication for starters. And the "negative" signs could prove positive for our cause: the GOP is no longer the party of fiscal conservatism; every Democratic Party presidential candidate is trying to out-socialize-medicine the other; the Patriot Act! (Sadly, the list is endless.)

Americans are finally feeling the oppression of government and are looking for alternatives. Our radical assertions over the past three decades don't seem so off-base anymore. We must be prepared to explain the LP and our political philosophy. Are you ready for it?

You can help prepare yourself by attending the National Convention! We know that we have the right answers. But we (myself included) often fall short when trying to convey exactly how "our way" would afford the greatest benefit to society. My goal is to offer the best possible speaker line-up to inform, educate, and inspire you, and give you the tools to get out there and make a *difference* for liberty!

Here are but a few. Radio talk-show host Neal Boortz will give a welcome address after he finishes his broadcast on Friday. (I'm also checking into the feasibility of him doing his show live from the Convention.)

James P. Gray, Superior Court Judge in Orange County, California and author of the book *Why Our Drug Laws Have Failed And What We Can Do About It: A Judicial Indictment of the War on Drugs*, will be one of our featured speakers. (An interesting sidebar about the judge: he likes to sing and write songs, and has just written a musical! Who knew?)

And to help you have fun while you're improving your political skills, here's a hint of what to expect: Grammy-Award-winning blues guitarist/singer (and LP member) Jimmie Vaughan has agreed to do a benefit concert for us! — probably on Friday night.

Actor/comedian Dean Cameron (see July LP News) says he would be honored to be a part of our convention; we'll find some fun things for him to do.

Attending a National Convention is a great way to recharge your batteries, and the 2004 Convention will be an especially good one. *Be a part of history!*

Lots more will be published next month in LP News. You can also check www.LP.org/conv/2004 for updates. I appreciate your comments and suggestions.

See you there!

Nancy Neale

convention@hq.LP.org



Washington state LP applauds termination of blanket primary

Washington state Libertarians are applauding an appeals court ruling that struck down the state's blanket primary.

"At least once in a while, justice is done," said Washington LP attorney Richard Shepard, after the Ninth Circuit Court of Appeals in Olympia ruled that political parties' right of free association was violated by the blanket primary.

The September 15 decision — which came on a 3-0 vote — will mean that the state government will have to create a completely new primary system.

Previously, under the blanket primary format, voters could choose nominees from any political party. They could also "mix and match" — voting in the primary election for a Libertarian for governor, a Republican for treasurer, and a Democrat for secretary of state, for example.

Washington's blanket primary had been in effect since 1935. The state does not have partisan registration.

The Washington LP had filed a lawsuit against the system, along with the state's Democratic and Republican parties.

In the court's 16-page decision, Judge Andrew J. Kleinfeld wrote that political parties have a right to let their supporters select their candidates for public office.

"Party adherents are entitled to associate to choose their party's

HOPEFULLY, THE
"legislature can craft
a solution that allows
party activists to
select candidates."

nominees for public office," he wrote. "The right of people adhering to a political party to freely associate is not limited to getting together for cocktails and canapés."

Even though Washington doesn't have partisan registration, Kleinfeld said that principle still holds.

"That the voters do not reveal their party preferences at a registra-

tion desk does not mean that they do not have them," he wrote. "The [blanket primary] denies party adherents the opportunity to nominate their party's candidate free of the risk of being swamped by voters whose preference is for the other party."

More effective

Washington LP Executive Director Brien Bartels said Libertarians were "excited" by the decision, because it will give the state an opportunity to adopt a "more effective and constitutional system" of nominating candidates.

"Libertarians are hopeful that the legislature can craft a constitutional solution that allows party activists the freedom to select candidates that most clearly articulate their party's views," he said.

CORRECTIONS

■ October issue: California LP gubernatorial candidate Ned Roscoe was identified as the president of Cigarettes Cheaper, which has "600 stores in 21 states." In fact, the chain has about 330 stores in 20 states.

■ October issue: In the article about an Alaska court decision, Scott Kohlhaas was described as having moved to Illinois. In fact, Kohlhaas later moved back to Alaska, and is now the LP State Chair.

■ October issue: In the article about the Supreme Court's hearing on the Bipartisan Campaign Reform Act (BCRA), Justice Antonin Scalia was identified as the justice who worried about the influence of the rich, whom he referred to as "Joe Wealthy." In fact, Justice Stephen Breyer made those remarks.



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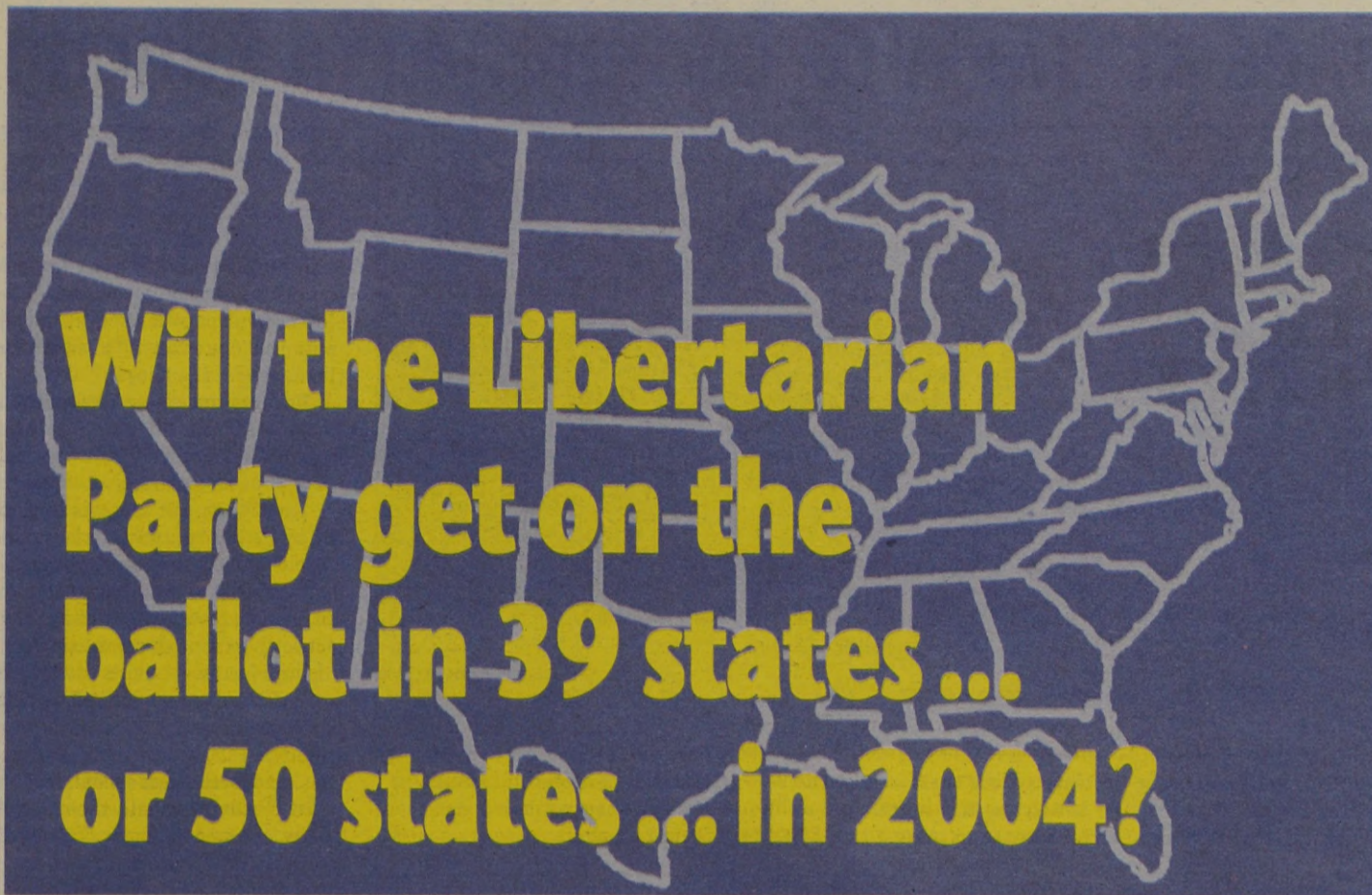


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The choice is yours!

Dear Libertarians,

At its September 13 meeting in Denver, Colorado, the Libertarian National Committee made an important change in the party's ballot access strategy.

Your response to this new policy will determine whether we are on the ballot in 39 states, 50 states, or somewhere in between. (The entire document can be viewed at www.LP.org.)

In the past, the LNC had determined that 50-state ballot access was essential and then paid for it out of general funds. The result was that in our enthusiasm to meet petitioning deadlines and get on all 50 state ballots, we took money from other vital projects and incurred debt in the process.

To prevent that from happening again, all projects, including ballot access, must be self-funded so we don't fall back into debt. Ballot access can now be financed only by money raised specifically for that purpose.

No more money

Therefore, the amount of ballot access we get will be determined by the number of signatures we collect and the amount of money we contribute from this day forward. There is absolutely no more money in the LNC budget for this purpose.

I'm proud that the Libertarian Party achieved 50-state ballot access in 1992, 1996, and 2000. No other third party has done so.

If you're content to see the 2004 Libertarian presidential candidate appear on, say, 44 ballots (as Ralph Nader was in 2002), that's exactly what will happen.

But if you believe, as I do, that the Libertarian Party MUST remain the undisputed, 50-state champion of ballot access, that, too, can still happen. But only if individual donors, volunteers and state parties step up to the plate.

As the party's ballot access coordinator, I hate to be the bearer of bad news. But the fact is that we are running so far behind schedule that 39 states is a distinct possibility at this point. As I write this letter, we are in danger of failing to get on the ballot in 11 states plus DC: Connecticut, Kentucky, Texas, Illinois, New York, Pennsylvania, South Dakota, North Dakota, Oklahoma, Maine, and West Virginia.

Those of you who know me know that ballot access has been my lifelong passion. I was LNC Ballot Access Committee chair from 1990 to 1997. On Election Day 1996, I drove from Virginia to North Carolina and gathered 1,179 signatures for the LPNC in one day. And I'm on my way to completing my pledge of 1,000 volunteer signatures for the 2004 ballot drives.

I've again become LP Ballot Access Coordinator because I just can't stand the thought of our Libertarian candidate being

kicked down into the ballot access basement alongside the Greens, the Natural Law Party and other fourth-party candidates.

We've all worked too hard for too many years to let that happen.

And 2004 is the year that we don't want that to happen, because this could be a surprisingly good year for our presidential nominee.

On October 8, the day after California's gubernatorial election, I spoke at length with Richard Winger, an LP member who is one of the nation's leading ballot access experts.

Highest vote?

Winger told me that he expects our 2004 presidential candidate to get the highest vote totals in LP history.

He said: "What just happened to Gray Davis shows that voters are very, very unhappy. And that's great news for the LP in 2004 — because our presidential candidate might be the only alternative to the Democrat and the Republican on the ballot."

Winger explained: "The Greens are falling apart, and they haven't made any headway all year on ballot access. And the reason is what happened to Al Gore in Florida, when Nader was blamed for costing the Demo-

crats the presidential election. The Left is putting enormous pressure on the Greens not to run a presidential candidate, and they're caving in.

"I believe there's only a 50-50 chance that the Greens will field a presidential candidate. And if that happens, the Libertarian's vote total could shoot way up — because he or she will be the only third-party candidate in many states."

But our vote total will be zero in the states where our candidate is not on the ballot.

That means that in a three-way race, the Libertarian could forfeit almost 1 million votes.

Not yet on the ballot

Consider this: In 2000, 20 percent of the LP's presidential votes came from the 11 states in which we're not yet on the ballot. And the total for all third-party candidates in those states was a whopping 994,000.

So the market for a Libertarian who is the only third-party candidate on the 2004 ballot — and could tap into the built-in "protest vote" against the Republican and Democrat — could be quite large. I'd hate to forfeit the opportunity to generate our best-ever vote totals in 2004 because we're not on the ballot.

But that's exactly what could happen if you don't make a commitment right now to volunteer to collect signatures or fund ballot access.

Will our 2004 Libertarian candidate be on the ballot in 39 states, 40-something states, or 50 states?

This is the year that you get to decide.

Ballot access is now in the hands of individual Libertarians and their state and local parties.

And I'm pleased to report that many have already stepped up to the plate.

The LP of Ohio recently received a small check from the LNC to put them over the top after donors and volunteers collected 50,000 signatures on their own.

Maryland Libertarians are in the process of completing their drive on their own.

Please go to www.LP.org to contact a state chair and find out how you can help in your own state or a neighboring state.

Contribute now

To make a contribution right now: Visit www.LP.org, click on "Contribute" and scroll down to make an earmarked contribution to ballot access.

Or send a check, made out to "LIBERTARIAN PARTY BALLOT ACCESS FUND," and it will be designated for that purpose. Mail to: Libertarian Party, Attn: BALLOT ACCESS, 2600 Virginia Avenue, NW, Suite 100, Washington, DC, 20037. Your donation is urgently needed.

Thirty-nine states, or 50 states? The choice is yours!

With your help, the LP's ballot access in 2004 will prove definitively that we are America's real third party.

Thank you so much!

Bill Redpath

William Redpath
LNC Treasurer
Ballot Access Coordinator



On the frontlines at the WTO conference in Cancun

Continued from Page 1

less than that the U.S. and European Union [EU] scrap all agricultural subsidies.

What can I say? It was breathtaking.

But, before you get all excited and think that the rulers of African and Latin American countries have come to their senses and are embracing the free market, I should tell you that they were not proposing to eliminate all of their own tariffs and subsidies. They are just the little guys, after all, and suffer disadvantages. Their idea of a level playing field seems to be that the wealthy countries should stop doing anything that props up prices and that the poor countries should be given exemptions, special waivers, etc. so that they can keep doing those same things.

Ironically, it was not over agriculture, the "big issue" of the meeting, that talks broke down. It was over other things, like government "transparency." According to reports I heard on site, the third world countries didn't want to have anything to do with such bourgeois notions, and the Mexican chair of the conference declared an impasse and shut the whole thing down.

100,000 anti-capitalists

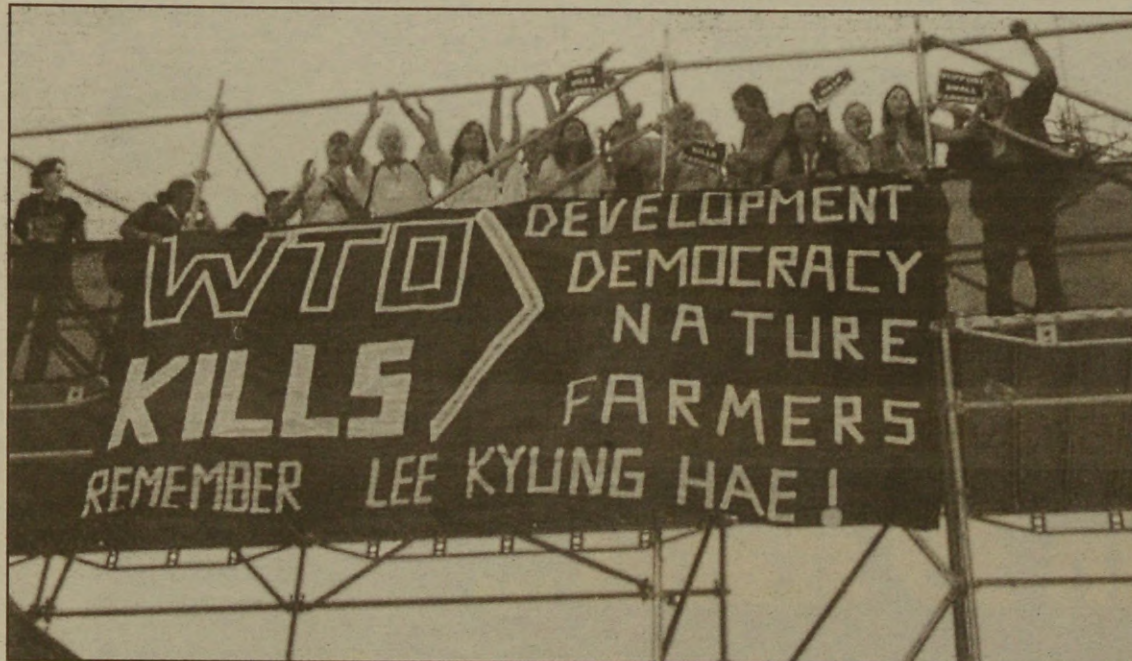
But this is nothing compared to the strangeness that prevailed on the streets of Cancun. In spite of the last minute whitewash crews covering just about every thing made of cement with new coats of paint, the city leaders had obviously been preparing for the expected swarms of protesters for a long time. By some estimates we heard, they were expecting as many as 100,000 anti-capitalists, or "globalophobics," as they call them in Mexico.

City police were bolstered by hundreds of black and gray-clad Federales, armed with sword-length batons and armored with plexiglass shields, helmets, and shin guards. There were also beige-clad WTO security troops.

Huh? When did the WTO get an army?

Well, to be honest, I don't think they did. The WTO security personnel seemed to be a sort of Mexican rent-an-army. Their patches were stuck on with velcro. Actually, I think they ran out of patches, as many went around with no more mark of authority than their swagger and a fuzzy circle of unused velcro. Why Mexico had so many security personnel available to lend the WTO is a question I never got answered.

But these guys were ready for trouble, and I've never been through



■ Anti-World Trade Organization protesters state their case at the WTO Ministerial Conference in Cancun, Mexico, September 10-14, 2003. The Lee Kyung Hae mentioned on the sign was a Korean labor activist who stabbed himself to death at the conference to protest the WTO's impact on farmers.

so many security check points per kilometer in my life. The scrutiny was all but unbearable. There was no goose-stepping, but the constant demand for my papers had me wishing for velcro of my own, so I could just walk around with my passport stuck outside my clothes, ready for inspection.

Fortunately, serious trouble never really happened. In fact, only about 1,000 anti-capitalists descended upon Cancun.

There were about 150 Korean union laborers who mysteriously found themselves in possession of enough money to fly around the world and spend a week on the Mayan Riviera. Some rumors had it that the AFL-CIO gave them the money, but there was no way to know.

These people were bolstered by some 5,000 to 10,000 Mexican farmers and other Mexicans who came to rail against U.S. agricultural subsidies and other injustices. The city of Cancun provided giant tents, water, porta-potties, power, and even ambulances around parks where the globalophobics were supposed to camp.

On September 10, the first day of the WTO talks, the globalophobics and the Mexican farmers marched toward the convention center where the talks were being held.

The police closed the few remaining gaps in a three-layered, barbed wire and chain-link barrier they had assembled across the road (the only other road to the conference center being 15 kilometers away, out by the airport), and the protesters were repulsed. Some managed to climb over the barriers and clashed violently with the police line, but the barrier held and not enough protesters managed to climb over for the march to break through.

I'm not sure if it was at this point, or just soon thereafter that one of the Korean activists, Mr. Lee Kyung-Hae, climbed up on the barrier and, shouting something like "WTO KILLS

FARMERS," stabbed himself in the heart with a knife. (That this contradicted his thesis was not noticed by the press, nor the other protesters).

There was a great deal of outrage over this, even though rumors quickly circulated that Mr. Lee had staged such gory acts in the past, even going so far as stabbing himself in the stomach during a Geneva round of talks.

Vengeance slogans

Bureaucrash activists interviewed some of the Koreans (see www.bureaucrash.com), and found that this stunt was not unexpected. Attempts had even been made to keep Mr. Lee from coming to Cancun for fear that he would do something similar — though they didn't think he had meant to kill himself (rather that he had made a mistake with the knife). This did not stop them from mounting candlelight vigils and laying the blame on the WTO. Angry crowds even chanted vengeance slo-

gans. (I thought it best not to point out that Mr. Lee's killer was already dead.)

Apparently, such theatrics did not sit well with the Mexican farmers, who, we were told, pulled out en masse and left the globalophobics to stew in their own mess. The main protester encampment was certainly a ghost-town when we went to check it out the next day.

I interviewed one Mexican couple, both of whom had jobs made possible by the global tourist trade that flows through Cancun. These people were highly outraged that, in addition to Mr. Lee's stunt, some protesters had apparently gone to a Mexican department store after being repulsed from the barrier and burned a Mexican flag.

I should say that the young couple, who were very conscious of Mexico's millions of poverty-stricken people, were sympathetic to the cries of "injustice" from the protesters.

However, they thought it terrible that Mexico had welcomed the pro-

testers with open arms, provided for their needs, etc., and that the protesters had ignored the Wal-Mart, a perceived vanguard of globalization, and attacked a Mexican store instead. Desecrating their national symbol added insult to injury, and then protesters went out defacing historical monuments, and causing problems for the local working people.

This was something I heard from many Mexicans. Thanks to the globalophobics, whose ideals they had thought so noble, many now had to go a half-hour out of their way to get to their jobs, and the rich tourists out in the hotel zone by the convention center were blocked from coming into town and spending their money on local products and services.

The anti-trade activists had indeed created new barriers to trade, albeit temporary ones.

Wonderland twist

In another Wonderland twist, the Koreans bought hundreds of yards of 1/2-inch rope, and, with the practiced skill of a military review squad, pulled it, braided it, and braided it again into thigh-thick hawsers. With these, one layer at a time, they pulled down the very trade barrier their actions had caused to be erected.

Even more strangely, rather than storm through and engage the police line behind the tumbled wall, they then all sat down and held some sort of vigil. Maybe they knew they now lacked the numbers to take the police on, but it was still a bizarre turn of events.

Even more bizarre, however, were the number of people who had traveled so far...for *nothing*. At least nothing they could articulate.

Many people refused to be interviewed, not because they knew I disagreed with them (at least, not at first, though they did seem to catch on by the end of the week), but because they could not answer my questions.

These were not hard questions, See **CANCUN** Page 17

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On the Cancun WTO frontlines

Continued from Page 16

like, "How would you calculate the correct cost of goods without the price system?" but easy ones, like "Why are you here? What do you think of all this? What motivates you?" And even when I could get them to agree to an interview, their answers were often contradictory, if not outright incoherent.

One fellow, when I told him an interview would only take a minute of his time, turned around and slapped his sleeping buddy's leg and said, "Hey, man, this guy wants to interview you." The awakening friend picked up his guitar and played me a song rather than answer any questions.

A pair of German girls told me they had just arrived, and would be able to answer my questions after they had been there a while.

Others, hunkered down in spaces cleared in the trash piling up between their dome tents (made from petroleum products and a few traces of materials extracted from the earth via heavy mining processes), simply refused any comment.

Weren't they there to get press? To bring attention to the plight of the world's "victims of globalization?" What the heck?

The violence

And then there was the violence.

When my companions expressed any pro-trade opinions, instead of passively collecting opinions about so-called fair trade, we were threatened with violence. This happened more than once. So much for peace and love.

I am no fan of riot police or the Mexican government, but I have to admit that the authorities in Cancun bent over backwards to avoid conflict with the protesters. They did not enter the protester encampments and made no effort to clear them from the avenues and traffic circles they pitched their tents and posted their banners on. To my knowledge, the police never made any aggressive moves; they simply resisted when the protesters tried to march on the convention center and arrested some of the vandals when caught in acts of destruction.

Most notably, I saw no officials with guns, not even with "rubber" bullets such as those used by the Seattle police. With their bodies, the police held back the protesters, some of whom had homemade armor (football helmets and pads, motorcycle helmets and lacrosse gauntlets, etc.). And some of the police paid the price for this restraint with broken bones.

However, not all the protesters were violent and/or incoherent. I met a South African gentleman with a Non-Governmental Organization [NGO] circulating "Africa Is Not For Sale" T-shirts, who admitted that real free trade might work. His objection was that trade as practiced today, planned and restricted by the world's governments, especially the most powerful ones, was hardly real free trade. He had a point.

My Bureaucrash friends met a small band of Mexican farmers from Oaxaca who had stayed after the other farmers left. These people said they had no beef with free trade, *per se*. It was unfair trade masquerading as free trade — specifically and particularly, massive U.S. and EU agricultural subsidies — they had a problem with.

Farm subsidies might seem like a

domestic issue to most Americans, but when the borders are opened and Mexican farmers find themselves competing with U.S. farmers backed by billions of dollars of subsidies... I can certainly see why the Mexican farmers might complain.

These folks were so reasonable, that in spite of their communitarian leanings, Bureaucrash activists were able to persuade them to hand out

pro-trade literature to their fellow protesters.

Unfortunately, not all were so reasonable. Nor clean. The smell of literally unwashed pseudo-intellectuals, demanding that the WTO and the world take them seriously — or at least obey their wishes — was repulsive. The mental chaos of their thoughts was worse.

It was an amazing experience. The crying need for economic education, eco-sanity, and simple logic struck me with redoubled force.

It was a moving experience. I

found myself more motivated than ever to fight the forces of unreason, to do my best to boost the efforts of pro-market and pro-freedom advocates around the world.

I hope you are too.

■ **About the author:** *Louis James is the CEO of Free-market.net, a website run by the International Society for Individual Liberty. For information, visit: www.free-market.net. This essay reprinted from the September 17, 2003 issue of FMNews, an e-mail newsletter published by Free-market.net.*

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—David Moffett, Kansas LP

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_____	Libertarianism In One Lesson
_____	By David Bergland

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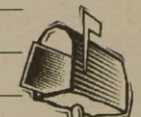
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In close race, Oregon LP loses campaign against Measure 29

The Oregon Libertarian Party failed in its efforts to defeat the Measure 29 bonding initiative, but the closer-than-expected loss was a "successful failure," said state party leaders.

"Most of us were amazed at how close we got to actually winning," said Oregon LP Executive Director Richard Burke. "Our campaign far exceeded the expectations of political pundits and the media, thereby enhancing our credibility as a political force."

On September 16, Measure 29 was approved by Oregon voters by a vote of 55% to 45%. The proposal passed by a large majority in most urban counties, but lost narrowly in many rural counties.

Only about 30% of the state's registered voters showed up at the polls for the special election.

Refinance PERS debt

Measure 29 will change Oregon's constitution to allow the state government to refinance \$2 billion of Public Employees Retirement System (PERS) debt with bonds. Supporters said the measure will save the state \$45 million annually by taking advantage of lower interest rates.

However, the Oregon LP — the only major opposition to the plan — argued that Measure 29 was a "debt trap" that could "bleed Oregon dry." Specifically, Libertarians warned

that the plan allows the state to borrow money for projects and debts other than just PERS, contains no limit on how much the state can borrow, and does nothing to solve the long-term problems with PERS, which has an unfunded liability of up to \$20 billion.

State Libertarians held a pair of press conferences in Salem and Portland on August 6 to launch a "Don't Mortgage Our Future" campaign against Measure 29. They also conducted a 42-city tour of the state to muster opposition to the proposal.

"We knew our 'No On 29' campaign would be a steep uphill climb from the start," said Burke.

The effort seemed to have had some impact, said Burke: "Though ballot measures like 29 typically pass with 70% or 75% majorities, we moved the final numbers to 55%-45%, and actually won in 16 of Oregon's 36 counties."

Despite that, the party still fell short because "virtually everyone was against us," said Burke — including newspapers and state politicians.

Also, the pro-Measure 29 forces



■ **Richard Burke:** Successful failure.

spent about \$100,000 of "Wall Street money" to run ads in favor of the initiative, while the Oregon LP spent only \$3,000 in opposition, he said.

Despite that, Burke said the effort was a worthwhile one for state Libertarians.

"Politically, at least, we couldn't lose — and didn't," he said. "Nobody expected us to win, or even get close. By making the campaign a horse race, the Libertarian Party exceeded expectations and thereby enhanced its reputation as a force that can move voters."

In addition, the effort garnered considerable media attention for the party, said Burke.

Consolidate presence

"Since nobody else was campaigning against Measure 29, we got the Libertarian Party in the news during the summer when people are normally disengaged politically," he said. "The earned media we generated helped to consolidate our presence statewide."

That's why, said Burke, the "No on 29" campaign was a "successful failure."

"While we failed to win the election, the campaign made us stronger and politically agile, while enhancing our credibility statewide," he said. "Though we knew from the start that victory was highly unlikely, we almost pulled it off."

POLITICS 2003

John Dos Passos reconsidered, and more

■ The Libertarian National Committee has a new member: Pennsylvania LP member **David Owens** (Region 5 Alternate). In Maryland, **Jim McLaughlin** is the new Chair of the Prince George's County LP, and **Nicholas Sarwark** is the new Chair of the Montgomery County LP. In Tennessee, **Jonathan Wright** was appointed interim Chair of the Davidson County LP. In Virginia, **Marc Montoni** was re-elected Chair of the Shenandoah LP.

■ **Political news:** In Virginia, **Robert K. McBride**, running for the Prince William County Board of Supervisors, received an endorsement from retiring incumbent Occoquan Supervisor (and Republican) Ruth Griggs. In California, **Michael Denny**, LP candidate for mayor of San Francisco, faced a tough crowd of ultra-leftists in an early September debate. Denny's proposals "were received with undiluted scorn, although he won some laughs and even some claps for his fearlessness for putting forth his anti-government ideas," reported the *San Francisco Examiner*. In Hawaii, Sheriff **Richard Mack**, who is seeking the 2004 LP nomination for governor in Utah, attended the Hawaii LP's Liberty Bash on September 28. Mack's campaign website: www.mackforgovernor.com.

■ Interesting editorial comment in the *Chicago Tribune* (October 6), after the **Free State Project** chose New Hampshire as the target for their planned migration: "The free-staters believe that an infusion of 20,000 libertarians ... will be enough to tip the balance. If nothing else, they would just about cancel out the 22,188 New Hampshire citizens who voted for Ralph Nader in the presidential election."

■ In New York, **Craig Milem** is running for City Council (District 5), and **Dan Finely** is running for City Council (District 2). Also in New York, **Gary Treistman** is on the ballot in Woodstock for Justice of the Peace. In Georgia, **Dave Richard** announced his candidacy for Forsyth County Commission. In South Dakota, **Terry Begay** said he is running for U.S. House. In Illinois, **Jerry Kohn** announced he will seek the Libertarian nomination for U.S. Senate in 2004. In Iowa, **Roger Fritz** will run for city council in Roland. In Georgia, **David Lockhart** is running for city council in Forest Park (Ward 5), while **Doug Craig** is seeking an at-large city council seat in Hampton.



■ **Craig Milem:** N.Y. city council.

■ **Miscellaneous:** In Texas, the College Libertarians at the University of Houston has formed a new online discussion group for **Hispanic Libertarians**. To join, send an e-mail to: HispanicLibertarians-subscribe@yahoo.com. A software product from **CampaignEdge** allows candidates to "build a professional-quality website in minutes." Cost: \$349. For information, visit: www.campaignedge.com/public/.

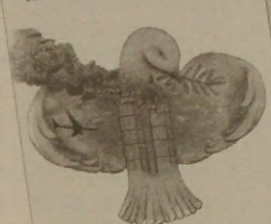
■ In New Jersey, **Gene Richards** was appointed as alternate member of the West Milford Zoning Board of Adjustment. Richards had been kicked off the board in 1998 for publicly saying that zoning laws were confiscatory. "It's taken five years, but he's back," said son **Mark Richards**. In Louisiana, **Brent Sanders**, a candidate for State Rep. (38th District), received the best vote total for a Libertarian in a non-federal election in state history. On the ballot as an Independent because of state law, he won 20% in a two-way race in the October 4 primary.

■ In Massachusetts, Libertarians have noted with sorrow the passing of longtime activist **Pat Flynn**, who died on August 6. "Pat will be sadly missed," said state LP Executive Director Kay Pirrello. "He was one of our most enthusiastic and active Libertarians." In Alaska, the state LP has regained party status. A voter registration drive in August and September pushed the party over the required voter registration number (3% of the vote in the last gubernatorial election), reported State Chair **Scott Kohlhaas**. In Ohio, state Libertarians have collected 45,240 signatures towards "full party" ballot status in 2004, reported **John Stewart**, the Ohio LP petition coordinator. The largely self-funded effort required only \$1,000 from the national LP.

■ **Literature:** An essay in the *New York Times* (September 14) praised author **John Dos Passos** for his "libertarian convictions." Dos Passos, who died in 1970, wrote the acclaimed U.S.A. trilogy (*The 42nd Parallel*, *1919*, and *The Big Money*), which interspersed fictional characters with real news reports and historic figures. The novels captured "the frenetic drumbeat of 20th-century America in its dawning decades," wrote Douglas Brinkley. While Dos Passos was a communist as a young man, later in life he was "fairly consistent in his libertarian convictions," and his heroes included **Thomas Jefferson** and **Thomas Paine**. In October, the Library of America published a new two-volume collection of Dos Passos' writing.

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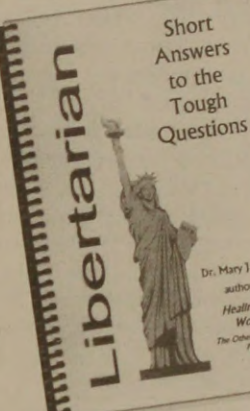
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THE FORUM

Making the Libertarian case in favor of the death penalty

In the August issue of *LP News*, John H. Gibson made a plea to Libertarians officially to oppose the death penalty. As a Libertarian and supporter of the death penalty, I am an example of his target audience. However, Mr. Gibson failed to convince me with his arguments.

Many of his arguments exploit the weaknesses in the death penalty as it is practiced today. He cites the alleged greater costs of executing a murderer as opposed to life imprisonment and the turmoil that families of victims must endure during the many years they await execution.

But when John Gibson uses these examples, he comes to the table with unclean hands. The opponents of the death penalty are largely responsible for the high cost of execution, as well as the decade-long wait.

Though I'll not categorically declare what the appropriate amount of appeals should be, it is hardly convincing when the same advocates who

have lobbied to make the process as long and expensive as it is use the length and the costs as an argument against the death penalty. I can just as easily argue for streamlining the process.

Racism in the system

The essay treads once again into tricky territory when it alludes to the racism in the system. Like the assertion that the death penalty is more expensive, this one is also very debatable. While it is true that there are a disproportionate amount of minorities on death row, it is equally true that murderers are disproportionately minorities. When cases are controlled for factors likely to influence a jury's decision, such as premeditation, race has been found to be of negligible significance.

Once again, this is not arguing

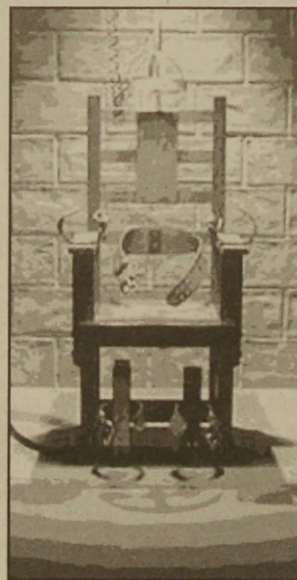
By Matthew Alexander

against the death penalty per se: it is just as well to argue for executing more white people.

Mr. Gibson attacks the strongest argument in favor of the death penalty when he claims that it is not a deterrent, but by lumping states into two categories, those with and those without a death penalty, and examining their homicide rates in a static fashion, he does not disprove deterrence. I can only imagine what John Lott Jr. would say to this, as this defective technique was used against his findings on guns and crime.

In short, the relative homicide

rates across states at a moment in time do not demonstrate anything. The change in homicide rates over time when a state begins to use or stops using the death penalty is far more instructive. John Lott Jr. used this technique in his work on guns and crime, and so have several scholars, including William Tucker, in their work on the death penalty. They concluded that while simply having the death penalty on the books is no deterrent, each actual execution deters from 8 to 12 other homicides.



And if one does not believe that, one could ask the many criminals who, having been incarcerated for another crime, admitted that the death penalty deterred them from turning a robbery or rape into a murder.

Mr. Gibson's strongest point is his assertion that it is inherently dangerous to allow a government the power to execute. But it fails to convince.

After all, it is dangerous to allow the government to round up individuals and keep them in a cell, too. But we need some government, and the punishment of crime is one area where Libertarians recognize its legitimacy.

While a tyrannical government executing its citizens is a terrifying possibility, it must be countered in the same manner that the only somewhat less terrifying possibility of mass imprisonment is countered: by fighting to preserve the safeguards that our Founding Fathers tried to install in the system so that only those convicted in a court of law are punished. If this important distinction is met, then the power to execute need not be a tool of tyranny.

Two wrongs?

Finally, Mr. Gibson concludes the essay with that most exasperating of bumper stickers: "Two wrongs don't make a right." That is begging the question: The assertion that the death penalty is wrong cannot be used to demonstrate that the death penalty is wrong because that is exactly what we are debating.

I would never argue that the death penalty is well applied by our government, but this is an argument for reform, not abolition. The death penalty is indeed a terrible price to pay. But some crimes are terrible crimes, and it is only logical and just that a sentence grow severer according to the severity of the crime.

If the death penalty is a deterrent, and the best evidence I have seen indicates it is, then we owe it to ourselves and our loved ones.

■ **About the author:** *Matthew Alexander lives in Galloway, Ohio.*

Why the LP's best 2004 presidential candidate would be... Gary Nolan

When you work in sales and marketing, you develop an awareness of what it takes to successfully promote ideas. We sometimes hear people say that Microsoft is not as good as Apple. I ask if that is so, then why is Microsoft so successful? The answer in a word is "sales." Of course you need good management, but having a good sales and marketing program is a cornerstone of effective management.

What does this have to do with why I'm supporting Gary Nolan for president? Gary is a proven communicator. Gary has the experience that will allow him to reach the greatest number of potential voters for the least amount of money and effectively sell our ideas.

When someone goes from a local radio station to a nationally syndicated show, it is proof that they are effective. You don't last 10 years in radio unless you can connect with the listeners. We badly need someone with this talent. In my opinion we have the best political program there is. We need someone with the talent to reach large numbers of people across the board with the message.

Gary has proven that he is dedi-

cated. He stepped down from his radio show to eliminate any conflict of interest. This is not an ego trip for Gary — it's a labor of love.

Gary is passionate about the benefits of liberty and he conveys this passion to anyone who hears him. He is also upbeat and positive. When you examine successful candidates, you will see that they are all believers in our citizens and our country. Gary has that can-do attitude.

We need an action-orientated candidate. Theory is OK. It has its place. But if we are to convince large numbers of people that the Libertarian Party has answers to their concerns we must have candidates who can develop specific programs to handle specific problems. Again Gary has this ability to bring it down to the bottom line, to talk with just about anyone on any issue. A rare but valuable quality, especially when you have a small underfunded third party.

Gary shares a trait that I have observed in every successful entrepreneur and business person I have ever met — a high energy level. To put it bluntly, he will work.

I have heard Gary speak to different types of groups — he is willing to visit and speak to any group. There are a lot of very smart, very talented

See **NOLAN** Page 21



With the 2004 election drawing closer, LP News will step up its coverage of the campaign for the LP's presidential nomination. Toward that end, we've invited one supporter of the two active candidates — Michael Badnarik and Gary Nolan — to each submit a 650-word essay explaining why they support that particular candidate.

Michael Badnarik

At a dark hour, I once gave Michael Badnarik's campaign a hundred dollars. "Michael," I asked, "Please create me a hundred dollars worth of Liberty."

His face lit up. "I'll make you two hundred!" he promised.

That's the kind of person he is. Many have sought the LP nomination for president, but in Michael Badnarik we Libertarians have a uniquely qualified candidate and an uncommon opportunity to create political change. Michael is a great candidate because he's a great teacher. I'd like to explain why he is exactly the candidate we need.

L. Neil Smith once noted that Libertarians don't run candidates just to score our tiny vote totals. We run our candidates to open voters' minds to unconventional alternatives. We advocate limiting government and protecting individuals' rights and property. We stand against the drug war, foreign intervention, taxation, and regulation. When exposed to our message of Liberty, and how we have lost it, people want it back.

So we run presidential candidates not to win, but to teach. And Michael Badnarik is a truly exceptional

teacher. Everyplace he goes, from restaurants to gun clubs, to podiums, to VFW halls, whether he has 10 minutes or 10 hours, Michael teaches people about freedom.

It's one thing to win over the economics club. But Michael fills his Constitution classes full of everyday people: truck drivers in overalls, harried social workers, shrewd businesswomen, salesgirls straight from the malls, union factory guys in baseball caps, and immigrant dishwashers. They come to hear the long-neglected message of Liberty. They question and argue passionately. They ask questions hours after the class ends. They want to know more.

Some Libertarians think teaching skill doesn't translate to a presidential campaign. They couldn't be more wrong. You can't open thousands of minds at once unless you can open one at a time.

Some were surprised at how competently Michael handled interviews on C-SPAN and radio. Don't be. A great teacher knows his material backwards, forwards, and sideways. Michael knows how to present Libertarian ideas in ways that reach students immediately and dramatically. He knows how to reduce concepts to their solid, shining core.

See **BADNARIK** Page 21

By David Rostcheck

Badnarik

Continued from Page 20

I remember watching his class as he described how all rights derive from property, and how your body is your own property. As he explained the genesis of Liberty in English common law, a young female student with a backpack covered in buttons asked him about "community rights."

"Communities do not have rights," he explained. "Communities are our legal creations, just like corporations — they have only privileges we delegate to them. Only the individuals within those communities have rights."

As she thought those ideas out, I could see on her face that she would never think of communities and corporations as being opposites again. One more ordinary person had dis-

covered individual Liberty. And that, in the end, is the goal of the Libertarian Party, and the reason we run a presidential candidate.

Michael's best advantage is his unrelenting optimism. Through his newsletters I've followed his campaign across the country on long, grueling road trips where the money was unspeakably tight. A man of limited means, he took on the challenging presidential campaign, traveling city to city and teaching classes on the Constitution to raise money for the trips. Whenever I saw him or spoke to him, he was always positive.

My girlfriend, long weary of political hacks, wears a thousand-watt smile whenever he's in the room. Through the worst, he gives his best.

Ladies and gentlemen, Michael Badnarik is the best kind of man we in Texas have to offer, the very, very best. You have an uncommon opportunity to put in front of millions of Americans a first-rate teacher who is passionate about Liberty. He can do the job better than anyone else; I urge you to put him to work for you.

■ **About the author:** David Rost-check lives in Dallas, Texas.

■ To contact the Michael Badnarik for President campaign, e-mail: badnarik@badnarik.org. Visit: www.badnarik.org. Write: The Badnarik Campaign, P.O. Box 841, Buda, TX 78610. Call: (512) 799-8200.

Nolan

Continued from Page 20

candidates but it comes down to being willing to put yourself out for the voters. Gary is doing this.

Credibility is critical in everything we do. It is especially important in the political arena. If I see you every day and you get to know me, you might begin to trust me, even if I'm not a good communicator. But in political campaigns, as in radio, you only have seconds to establish credibility. A presidential candidate also needs to establish credibility with party members and supporters. My experience with Gary gives me great confidence that he will do an outstanding job as our candidate for president.

I asked Gary what he would say to someone who asked why they needed to make up their mind now. His answer was typical.

As Gary pointed out, if you wait until next year to decide who to support, your candidate will only have a few months to try and communicate with millions of people about the virtues of Libertarianism. We will have missed hundreds of pre-convention opportunities to be before audiences to discuss the greatest political doctrine there is. We will have missed the chance to reach thousands of potential Libertarians with our message.

As usual, I couldn't find any great flaws in Gary's logic — so I am asking you to join me in helping Gary help us add thousands of new Libertarians to our cause. Support Gary Nolan's Libertarian campaign for president.

■ **About the author:** Spear Lancaster has spent 40 years in sales. He is Maryland director for FairTax, active in the Chamber Of Commerce and Maryland Taxpayers Association, and ran for governor in 2002.

■ To contact the Gary Nolan for President campaign, call: (703) 237-3533. E-mail: info@garynolan.com. Visit: www.GaryNolan.com. Write: Gary Nolan for President, P.O. Box 6308, Falls Church, VA 22040.

THE VOLUNTEER

Ballot Access Petitioning 101

■ **Editor's note:** With responsibility for ballot access being devolved to state parties, an understanding of petitioning nuts-and-bolts is more important than ever for LP activists. In this essay, Richard Moroney shares some "Petitioning 101" tips.

The first thing to understand about petitioning is that it has nothing to do with making converts or winning votes. The single purpose is to ask as many people for signatures as quickly as possible.

Consequently, the first goal of petitioning is to find a place with a lot of people on foot. Petitioning people going into sports events provides a steady stream of foot traffic in a relatively short time. When the weather improves, petitioning spectators at children's baseball or soccer games works well.

Mostly you need to make sure you're on public property (and avoid blocking traffic, for instance) or that you have the property owner/manager's advance permission. For example, I've had great success peti-

tioning in front of a grocery store.

Next, you need to keep your pitch short. Here's a text I've typically used: "Hi. I'm hoping you can help me out. This is a petition to put an independent candidate for governor on the ballot in November. Signing doesn't mean you'll vote for the candidate or support him in any way, it only helps get his name on the ballot. Can you help out?"

Don't say anything else. Accept whatever decision they make with a "thank you," and be ready to move on to the next person.

Try not to get into conversation with anyone because it distracts you from the next potential signer. If they seem concerned about getting on a mailing list, you can safely guarantee them they won't. If they want information, ask them to sign and you'll put a mark by their name so you'll know to have information mailed to them later. (And make sure you follow up on this).

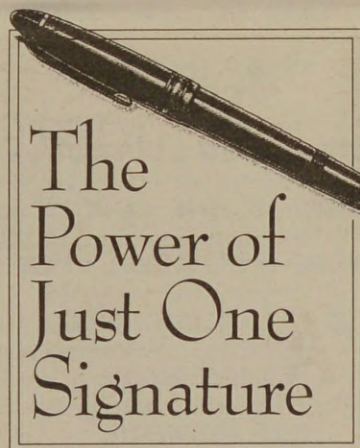
A clipboard is required equipment. They're inexpensive at office supply stores. In fact, it's a good idea to buy two. When you're petitioning, you'll frequently encounter groups. If one person in a group agrees to sign, often "peer pressure" will work to get others to sign as well, but these people aren't likely to wait their turn to sign. I've been in situations where three or four clipboards were being signed simultaneously.

If you decide on door-to-door petitioning, try to go between 4:00 pm and 7:00 pm on a weekday. (I know, it's supper time; actually, people mostly don't seem to mind that much). Pick a place where the houses are fairly close together.

And change your "pitch" slightly by starting off with "Hi, my name's Joe Smith and I'm hoping you can help me out." They won't remember your name but the fact that you've offered it makes it personal and they're more willing to help.

■ **About the author:** Richard Moroney is a resident of Davenport, Iowa.

By Richard Moroney



Do you think our government has gotten too big and too powerful? Do you think a maze of bureaucrats and politicians are chipping away at the freedoms Americans used to take for granted? Do you think the Bill of Rights is being silently repealed — one precious freedom at a time?

If so, you can help change that by joining the Libertarian Party! We're the only political party that is fighting — with 100% of our energy — to lower taxes, to reduce the size of government, and to defend the Bill of Rights. With your support — and your proud signature on this membership form — we can work harder than ever to build a powerful political force for freedom.

But we need your help to do it. Join us today!

Libertarian Party Membership!

☐ **YES! Sign me up today as a proud, dues-paying member of the Libertarian Party!**

I'll receive 12 monthly issues of LP News, and a membership card. I'd like to be a Libertarian Party member in the following category:

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- ☐ \$250 **Sponsoring Member**
- ☐ \$100 **Sustaining Member**
- ☐ \$25 **Basic Member**

The Libertarian Party is the party of principle. To publicly affirm what we believe—and to ensure that our party never strays from our principles—we ask our members to proudly sign this statement:

➤ **I do not believe in or advocate the initiation of force as a means of achieving political or social goals.**

SIGNATURE REQUIRED FOR MEMBERSHIP

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☐ Enclosed is \$25. I'd rather not join just yet. Instead, please sign me up for a one-year subscription to LP News (12 monthly issues).

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THE CHAIR

BCRA is a 4-letter word, and additional thoughts

My entire term in office has been inordinately focused on a frustrating battle against the idiocy of Congress. The Bipartisan Campaign Reform Act (BCRA) of 2002 was signed on March 27, 2002, and went into effect the day after the November election. I'm sure you've all heard many of the incredibly onerous parts of this asinine law, and I've had to get way too familiar with its myriad implications.

The Supremes are considering this law as I write, and I'm hoping for an early Christmas present — the complete abolition of this legislative #@&#.

I may be quite unusual — the book that made me start to think like a libertarian was "The Castle," by Franz Kafka. Read it sometime, if you really want to get depressed. It's an exceptional piece on the pure despair that bureaucracy is capable of instilling. I only mention this because I recently learned of a provision in BCRA that I was unaware of until very recently that sounds like it came right out of those pages.

It seems that it is illegal for national party officers and staff to solicit funds on behalf of state and local parties and candidates. Not only is it illegal, it's a felony. That's right, I cannot say, "Support your state affiliate" without committing a felony. (By the way, this statement is being said as an example, not as a solicitation. I am most definitely NOT telling you to support your state and local affiliates.)

That's like making it illegal for the pope to say "Support your local parish!" Goodbye First Amendment. Now, if I was going to choose an issue to risk jail time over, the First Amendment would probably be it. However, if I do make statements like this, it's not me I put at risk — it's the Libertarian Party. It's not my money; it's yours. So for now I most definitely am NOT soliciting funds on behalf of your state and local affiliates.

Patience is the best remedy. We have every reason to believe that the Supremes will render a decision by year-end, because of the severe implications this law will have on next year's elections. Sometimes we have to put faith in the system, and see how it turns out.

The response to our fundraising appeals of late have humbled me. We're making great progress, but we're not out of the woods yet. I do want to thank all of you who have given so generously, and also want to recognize those who have passed along ideas for saving money. In that light, I'd like to respond to some of your suggestions.

Yes, we could save money by moving out of our Watergate space. However, we really do have a good deal on our rent. We are paying under market rate for the Washington, DC area, and would have to move to the 'burbs in Virginia or Maryland to realize any measurable savings.

Also, we're in the middle of a lease, which expires at the end of 2005. If we move, we are still obligated. In the meantime, we're investigating subleasing with interested parties, but BCRA forbids us from accepting any money from corporations, even non-profits, no matter what it's for.

Also, we're restricted from accepting more than \$25,000 from anyone in a calendar year. That makes it a little difficult to find a tenant, but we're working on possibilities.

I frequently get suggestions for things like long-distance calling cards, affinity credit cards, etc, where commissions could be earned by the LP. In the past, the LNC has rejected many of these proposals because it's not our business, and we should focus on the political arena. Now we have another reason: BCRA does not allow us to receive commissions from corporations. If you like this kind of commission income, we'd like you to do it individually, and send more money to us in the form of a donation.

We've received some complaints that we're sending out too many fundraising letters. We're also getting complaints that we're not sending enough. What's a party to do?

Well, we're getting advice from people who raise money for a living, and we'll follow that advice. I think people who routinely raise millions know better than I do, and I'm going to take advantage of their expertise. Please remember it's a marketplace — just because a grocery store puts an ad in front of you for decaffeinated coffee doesn't mean you have to buy it, or drink it.



By Geoffrey Neale

LP NATIONAL CHAIR

How federalized crime threatens the Constitution and our liberty

EDITOR'S NOTE: How can Libertarianism solve America's problems? Each issue, *LP News* will showcase how "Libertarian Solutions" — or interim steps in a more libertarian direction — can help improve our nation.

By Bill Winter
LP NEWS EDITOR

If Harry Hotwire steals your Lexus, it isn't one. But if he carjacks your Hyundai while you're driving, it is.

If Andre Arsonist burns down a hospital, it isn't one. But if he burns down a church, it is.

If Gary Glock is peddling a bike when he shoots someone, it isn't one. But if he's driving a car while taking a shot, it is one.

Welcome to the wacky world of federal crime.

Or rather, "federalized" crime. All those felonious actions — from drive-by shootings to church burning — used to be strictly state and local crimes. But increasingly, the U.S. Congress has turned them into federal crimes.

In doing so, it has wandered afar from the Constitution's original intentions, placed individuals under the threat of double jeopardy, and centralized police power in Washington, DC.

While the problem of federalized crime has not yet attracted much media attention, it has been generating quiet concern.

In 1997, the American Bar Association's Federalization of Criminal Law Task Force (FCLTF) issued a report that said, "The federalization phenomenon is inconsistent with the traditional notion that prevention of crime and law enforcement in this country are basically state functions."

And in 1998, Chief Justice of the United States Supreme Court William Rehnquist scolded Congress for its habit of federalizing "crimes that traditionally have been handled in state courts."

Not always a problem

Federalized crime hasn't always been a problem.

In the U.S. Constitution, the Founding Fathers authorized the federal government to prosecute only a handful of crimes. All of them involved uniquely federal concerns, or addressed problems that were beyond the scope of individual states.

For example, Congress was given the authority to penalize counterfeiting of the "current Coin of the United States," to punish piracy "committed on the high Seas," and to prosecute treason.

In the early days of the republic,

Libertarian SOLUTIONS

these powers were expanded somewhat, but only to combat violations against the federal government, its judicial system, or its programs.

For example, Congress passed laws making it a crime to steal government property, bribe federal officials, lie in federal court, and cheat on federal taxes.



"It is NOT considered politically wise to vote against crime legislation, even if it is misguided, unnecessary, and harmful."

By the 1920s and 1930s, the distinction between federal and state crime began to dissolve. When Prohibition spawned a wave of violence and lawlessness, the FBI began taking a higher profile role in capturing bank robbers, bootleggers, and kidnapers.

Federal involvement in crime-control has only accelerated during the last four decades, as Americans' concerns about violent crime grew.

For example, when the media reported on a mid-1990s wave of church burnings (erroneously, as it later turned out), Congress passed the Church Arson Prevention Act. It wasn't that church burning was legal — arson has been a crime for hundreds of years — but politicians were eager to claim credit for "doing something."

The same thing happened when child abuse made headlines (Congress responded with the Sex Crimes against Children Prevention Act), abortion clinics were picketed (the Federal Access to Clinic Entrances Act), students were shot in schools (the Gun-Free School Zones Act), and domestic abuse became a concern (the Violence Against Women Act).

Odometer

Just for good measure, Congress also made carjacking a federal crime. And failing to report child abuse. And drive-by shootings. And tampering with a car's odometer. And on and on.

In almost every case, the actions that Congress criminalized were already felonies at the state level, with punishments that could include the death penalty. What did politicians hope to gain by making them federal crimes, too?

In a word: Votes.

"Many of these new federal laws are passed not because federal prosecution of these crimes is necessary, but because federal crime legislation is thought to be politically popular," concluded the American Bar Association's FCLTF Report. "Put another way, it is not considered politically wise to vote against crime legislation, even if it is misguided, unnecessary, and harmful."

As a result of politicians' grandstanding, the number of federal laws skyrocketed — to the point where no one knows for sure how many are on the books.

"A complete listing of all federal criminal laws, located together, is not available," noted John J. Mountjoy of the Council of State Governments (CSG) in *The Spectrum* (Summer 1999).

While some estimates suggest there are 3,000 federal crime laws, others say that figure is hopelessly out of date. And politicians' "pass-along" frenzy shows no sign of slowing: More than 1,000 crime-related bills were introduced in the 105th Congress, for example.

Congress justified its newly minted federal crimes by citing the

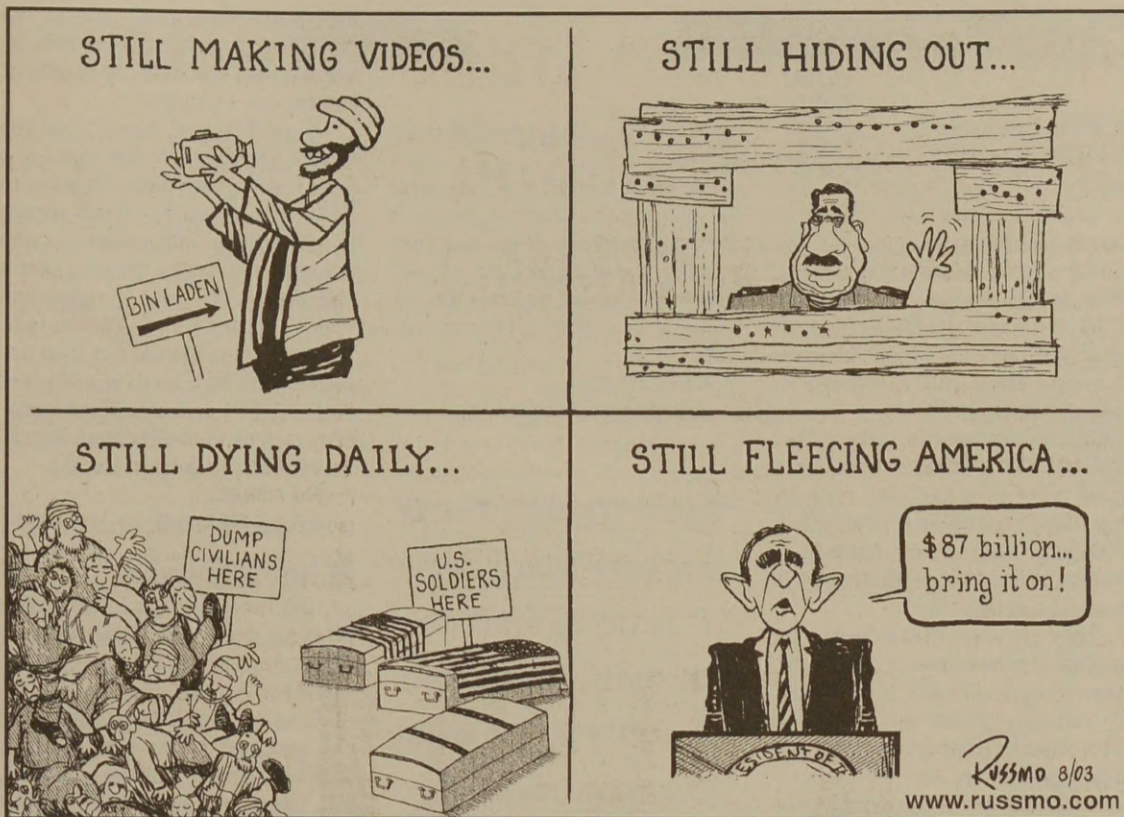
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THE MAILBOX

Smokers' rights?

It is a proven fact that around 35,000 people die each year from secondhand smoke.

Knowing this, how can the Libertarian Party back Ned Roscoe for governor of California? He believes that those addicted to cigarettes should have the right to smoke in public and work places, causing the death of so many nonsmokers ["In California, Ned Roscoe earns party endorsement," *LP News*, October 2003].

When the Libertarian Party supports "smokers' rights," then they must also support the right of those who are addicted to alcohol to drive drunk, and also kill and injure other people.

No one should support the right of some people to irritate, injure, or kill other innocent people.

— **CHARLES E. GEISEL**
Glendale, Wisconsin

Don't badmouth Art

[Re: Libertarian Solutions, "Why it's time to get Uncle Sam out of the art-subsidy business," October 2003.]

I gotta say that you shouldn't badmouth Art that you don't know anything about. It makes us Libertarians look bad.

Art is a deep and honorable profession. I'm an Artist and I love Art. It takes real guts to make real Art. Popular art makes money. Real Art changes the world.

Only talk about what you know about. If you know about history, talk about it. If you know about plumbing, talk about it. You don't know jack about Art. OK?

— **DOUGLAS KENNEDY**
Stratford, Connecticut

"WHEN THE PARTY supports 'smokers' rights,' they must support the right of those who are addicted to alcohol to drive drunk."

Rothbard's blessing

I think Murray Rothbard would have approved of the vision outlined by George Squyres in the October issue of *LP News* ("Explaining the rationale behind the Platform's reformatted planks," *The Forum*), at least in those days when he was a supporter of the LP. However, I am sure Rothbard never "opposed advocating a tax break because it means you approve of taxes."

It should be clear from this quote from his landmark 1977 paper, *Toward a Strategy for Libertarian Social Change*, that Rothbard approved of advocating tax cuts: "...suppose that the libertarian movement adopts, as a transitional demand, an across-the-board 50% cut in taxation. This must be done in such a way as not to imply that a 51% cut would somehow be immoral or improper. In that way, the 50% cut would simply be an initial demand rather than become an ultimate goal in itself and thereby undercut the libertarian goal of total abolition of taxation."

This paper also made clear

Rothbard's opinion on efforts such as Squyres's to accommodate those who oppose "incrementalism" and simply "demand the end state as the uncompromised goal."

If incrementalism means making transitional demands, then Rothbard approved of this, though he called it a "centrist" strategic position, as opposed to the errors of left-sectarianism ("The left sectarian, in brief, considers any transition demands, any use of strategic intelligence to determine priorities for agitation, any appeal to one's audience without sacrificing ultimate principles, in themselves a 'sellout' or betrayal of radical principles.") and right-opportunism ("...hiding or working against the ultimate goal in order to achieve short-run gains").

Rothbard summarized his position in this way: "The centrist position...is to begin agitation around currently important issues, examine them, show the public that the cause of these problems is statism and that the solution is liberty, and then try to widen the consciousness of one's listeners to show that all other current and even remote problems have the same political cause and solution."

— **SCOTT OLMSTED**
Encinitas, California

What PETA means

In the October 2003 issue of *LP News*, Bill Winter quotes PETA co-founder Ingrid Newkirk as saying, "A rat is a pig is a boy is a dog." [From the Editor]. He says that Newkirk wants us to believe that animals deserve the same rights as humans. This

See **THE MAILBOX** Page 24

THE PULSE

Chameleon politics

L*P News* readers are ready to don a disguise, go undercover, and make like a chameleon.

In simple English: Run for office under the "Republican" and "Democratic" labels. At least, that's according to the answers to this month's unscientific Pulse question: "Would Libertarians be more successful if we infiltrated the Republican and Democratic parties — and ran for office as Rs and Ds?"

In a surprisingly one-sided response, 73.7% of readers said yes, Libertarian candidates should be willing to discard the "L" label to get elected. Some pointed to the Socialists as an example of one group that successfully employed such a strategy; others mentioned Ron Paul. One area of disagreement: Some readers seemed to suggest the party should employ this as a principal electoral strategy, while others thought it should be used on a case-by-case basis.

On the other hand, 21.1% argued that Libertarians need to run as Libertarians to build the party into a unique, formidable political force. Running under another party's label would undo the years of work to build the LP, they suggested. Others said that the strategy simply would not work.

Finally, 5.2% gave answers that were confusing or ambiguous.

(Reality check: Only 19 people responded to this month's Pulse question, so that 73.7% in favor of partisan label-jumping represented 14 Libertarians.) Here's what readers had to say about this issue:

■ Yes. We should infiltrate the Rs and Ds. It worked for the Communists and Socialists in this country.

— **BILL WALD**, Everett, Washington

■ Yes, a new strategy may be in order at this juncture. Although it may risk "watering down" the LP as a whole, it may also achieve some of the goals that Libertarians have long sought after. After all, that is the desired end result, regardless of how it is obtained.

— **DEAN RUTHERFORD**, Hailey, Idaho

■ If necessary, we should use the resources of the Dems and Reps to elect Libertarians to office. The sacred core of the campaign and the term in office is not the label, but rather the building of a relationship with voters based on honesty, performance, and the clear communication of the Libertarian message.

— **JOE AXTELL**, Los Angeles, California

■ Not only no, but *hell no!* Look at it this way, folks. The enemies of humanity, indeed, the Devil himself, would be thrilled to have your tragically and woefully misguided encouragement to grind the life out of you through human slavery.

— **JEFF THOMSEN**, Kingman, Arizona

■ Yes, Libertarians probably would be more successful if they infiltrated the Rs and Ds. Is it time for the LP to heed the advice, "If you can't beat 'em, join 'em"? My answer to joining them is: Never!

— **JEREMY MAIKRAMZ**, Framisco, Indiana

■ One reason Libertarians do not get elected is because they do not have a support base. Far too many Libertarians do not get involved in community/civic groups. These same Libertarians will not become more involved in local groups and thus will not build up name recognition and a campaign contributors/support base. Consequently, they will be no more successful in an R/D party than in the LP.

— **RICHARD PRADZIENSKI**, Edmond, Oklahoma

■ I'm real new to Libertarianism, and it seems to me that any means would suit our purpose at this point.

— **JAMES PATRICK SHREFFLER**, Los Angeles, California

■ Running as something you are not is lying. No one of principle needs to compromise in order to win; isn't that the whole point of having principles? Isn't that the point of having a Libertarian Party? You might as well disband and have all members infiltrate.

— **CHRISTINE TAYLOR**, Durham, North Carolina

■ Should we dissolve the LP and join the Republican or Democratic parties? The short answer is, of course, no. However, Christian conservatives successfully infiltrated the Republican Party in the 1980s. So successfully that now no Republican can run for national office without espousing their causes. So, the real question should be, "Can libertarians do what Christian conservatives did?"

— **STEVEN BENTON**, Champaign, Illinois

■ See Ron Paul. I have long held the theory that a Congressional caucus of approximately 30, regardless of party affiliation, would steer legislation toward the libertarian ideology.

— **WILLIAM DIETZ**, Spring Hill, Tennessee

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THE PULSE

Continued from Page 23

■ Yes! I do believe it would be advantageous if some strong candidates ran as Rs and Ds. Ron Paul (R-TX) is in his eighth term (last time he won with 60% of the vote) and I think he would be pleased to have like-minded fellow Representatives with him in Washington, DC to end his present lonely watch.

— COLIN F. SEWARDS, Mansfield Texas

■ Ron Paul is Libertarian, and campaigns on a Republican ticket. His success in helping defeat many big-government bills and resolutions, and in helping organize the Liberty Caucus, proves that Libertarians can run on the slate of other parties, be honest with voters, and still be effective and principled in office.

— JOHN AXTELL, Wichita, Kansas

■ Mass parties like the Rs and Ds cannot be ideological in the sense that the LP is and continue to be mass parties. Converting them into principled libertarian parties is futile. On the other hand, true libertarians have successfully run and won as major party candidates many times, most notably U.S. Rep. Ron Paul (R-TX). But by abandoning an explicitly Libertarian Party we would also be discarding a nationwide network of libertarian radicals that it took a generation to build. The answer is not, then, the wholesale embrace or rejection of one or the other approach, but instead the application of both.

— PHILIP BLUMEL, Lake Worth, Florida

■ We can't be certain what strategy will work, so multiple strategies makes sense. Plus, individuals work hardest when they pursue whatever strategy makes most sense to them. I won't knock people who advocate infiltration. Also, the Libertarian "extremists" make the libertarian "infiltrators" seem moderate and more acceptable.

— RICH MORONEY, Davenport, Iowa

January Question: Immigration?

Is it time to rethink the Libertarian Party's "open-borders" plank? In an age of international terrorism, is a policy that would allow anyone unrestricted access to the USA a recipe for disaster? And in an age of "anti-sprawl" sentiments and concerns about diminishing natural resources, is a policy that would allow tens of millions of foreigners to flood into the USA a recipe for political disaster? Or, is open immigration such a core Libertarian principle that changing it would violate the very essence of what the party stands for? Either way, it's an issue that Libertarians seem to be discussing more and more. In the October issue of *LP News*, one letter-writer argued that open immigration is a "disastrously anti-freedom policy" that would empower terrorists and lead to global governance. Other Libertarians have suggested that immigration will be for the LP in the 2000s what the drug issue was in the '80s and '90s — that is, a reason why many Americans won't consider voting Libertarian. Do they have a point?

■ **QUESTION:** Is it time to change the Libertarian Party's "open borders" position on immigration? If not, why not? If so, what should replace it? (Please keep answers to 100 words or less.)

■ **DEADLINE:** December 8, 2003

Dec. Question: Internal Education?

For detractors, it sounds suspiciously like Communist-era "Re-education Camps." For supporters, it's needed to keep the party from veering from the one true Libertarian path and turning into a watered-down "Liberty-Lite" party. We're talking about internal education — a system of educating members about the LP's philosophy. At its March 22-23 meeting, the Libertarian National Committee deleted the LP's Strategic Plan's Strategy 14, which called for the party to "develop and implement a program of ideological internal education." But do party members really need ideological education? A look at the MailBox in any *LP News* suggests it does — since LP members are always pointing out the glaring philosophical flaws of other members! However, other Libertarians suggest that internal education is patronizing, wasteful, and a sign of a party that is more interested in ideological purity than real-world success. Who's right?

■ **QUESTION:** Does the Libertarian Party need an organized system of "internal education" to keep party members properly principled? (Please keep answers to 100 words or less.)

■ **DEADLINE:** November 8, 2003

ENTRY GUIDELINES: Include your name and your city/state; anonymous answers won't be tallied! Enter just once per month.
 ■ E-mail: Editor@hq.LP.org. (Put "Pulse" in subject line.)
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 ■ Mail: Bill Winter, Attn: LP News/The Pulse, 1640 Worcester Road, #330-D, Framingham, MA 01702

THE MAILBOX

Continued from Page 23

is a misquote and is taken out of context.

Ingrid Newkirk said, "When it comes to feeling pain, hunger and thirst, a rat is a pig is a dog is a boy. They are all mammals." What the PETA co-founder was trying to say is that other intelligent animals have the capacity to suffer similarly to human beings.

Bill Winter tries to make us believe that PETA thinks that eating a steak is the same as eating a human boy. This is misleading. PETA, along with most other animal rights supporters believe that sentient animals have a basic right to life.

The right to life that animals have is derived from human morality and libertarian philosophy: it is immoral for rational humans to initiate the force against other sentient beings. It does not matter that most animals are amoral and do not possess higher reasoning skills. A human baby is also amoral and does not possess higher reasoning skills, but they too have a basic right to life.

Libertarian Party members who believe that it is morally acceptable to exploit or kill sentient animals are guilty of violating the non-initiation of force pledge they signed when they became members. A true libertarian respects the life of all sentient beings, not just humans. I contend that "meat-eating libertarian" is a contradiction in terms.

— JOSH CORN

State College, Pennsylvania

■ Our winning principle

There's been an awful lot of negativity in The MailBox lately, and I can understand why. But on a positive note, I believe we have a major opportunity to snatch up a lot of disgruntled Republican voters in 2004.

President Bush, who claims to be a conservative, has shown his true agenda, and has outspent and out-liberated the liberals, though that hardly seems possible. His motives are debatable, but his actions, with the help of a Republican Congress, speak clearly: Bush-Kennedy education budget; farm bill plus disaster relief; campaign finance reform; \$15 billion for AIDS in Africa; warmongering; prescription drug coverage; Liberia ... add your own favorite gripe.

There's plenty to make everyone P.O'd, especially conservatives. We can cash in on this by making ourselves a more viable option.

Here's where hardcore Libertarians get their hackles up. We have to appear more mainstream by de-emphasizing our more "radical" viewpoints. That applies especially to our recent anti-drug war emphasis. Think incrementalism.

I listen to conservative talk radio, as I'm sure many of you do. They've been giving Bush a lot of flack. But whenever a Libertarian calls in to offer the LP as an alternative, they are summarily dismissed. Rush Limbaugh says we're a "wasted vote." He advocates the lesser of two weasels. Michael Savage (an "independent")

and Sean Hannity are both strongly anti-drug.

We can crack this egg. Let's focus our campaigns on smaller government and less spending. That's our most winning principle, and the rest will follow. By focusing on more divisive issues, we're cutting off our nose to spite our face.

— MARK STRYKER

Jersey Shore, Pennsylvania

**"LIBERTARIAN PARTY
members who believe
it is acceptable to
kill sentient animals
are guilty of violating
the non-initiation
of force pledge."**

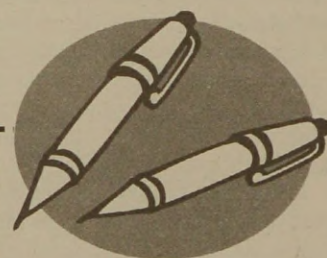
■ The little guy

Hank Moody's letter ["The grocery tax"] in the October issue of *LP News* is a classic example of why I can't persuade my liberal friends that libertarians care about the little guy.

Mr. Moody takes someone to task for pointing out that a grocery tax disproportionately affects the poor. Mr. Moody suggests that, for the sake of those with more money, government operations should be financed with more such regressive taxes. That's nothing more than the Left's class warfare turned around 180 degrees.

Many of my liberal friends think that "smaller government" and "free market" are just code words for "look out for the rich and forget everyone else." Their worst suspicions will only be confirmed if Libertarians react with hostility to anyone who argues against a tax on the grounds that it hurts the poor.

Come to think of it, my worst suspicions might be confirmed as well. I started voting Libertarian when I concluded that Big Brother is bad for



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Framingham, MA 01702

everyone, not because I woke up one morning and thought, "You know, we should make sure that the poor start bearing more burdens!"

Anyway, since I haven't had the time to campaign for the repeal of a local tax, the last thing I'm going to do is criticize people who do engage in such efforts. I applaud anyone who goes out and makes the case that a free market will help the poor and middle class as well as the rich. They're pulling the rug out from under the Left and building a big tent that will draw in disillusioned Democrats as well as disillusioned Republicans. Keep up the good work!

— ALEX SMALL

Goleta, California

■ Not regressive

[Re: Hank Moody's letter]: Sales taxes are better than most because they are open, and because they are voluntary to some extent.

But they are not regressive. The rich spend more than the poor (and receive fewer services in return), and the poor are spending other people's money.

— HORACE MCCOWAN

Richmond, Virginia

■ Tax squabbles

The Libertarian Party, the party of principle, squabbling about which tax is preferable? Ugly!

No tax should ever be supported, and certainly no form of the income tax. The income tax is solely about social control and PAC money for incumbents.

OK, some taxes may be necessary; but the only tax without serious restrictive economic effects is a national tax sales, coupled with no income tax.

The sales tax is not "regressive;" the wealthy pay most of that tax too, in absolute dollars or as a percentage. Opponents will yell "regressive" or anything else to avoid a substantive discussion of the matter. Social engineering and tax favors are just too rewarding for them.

We must not give up. During the Clinton administration, a bill abolishing the IRS passed the House and lost by one vote in the Senate.

And do not forget the Canadian experience. Canadians earnestly entered an "honest" discussion of the benefits of sales taxes and wound up with a 15% sales tax and a very high income tax!

Finally, don't vote for money bond issues either. As Milton Friedman correctly points out, the true measure of taxes is the total money spent by the government, not the amount of taxes paid in a particular year.

— W.H. WILLIAMS

New York, New York

■ Rethink immigration

I would like to commend Mr. Logan Feys on his well-written comments relative to the "borderless" concept ["Immigration danger," The MailBox, October 2003].

I, too, believe that the idea is a direct affront to the concepts of individual freedom and personal responsibility. How can you respect the former and assume the latter, when

See **THE MAILBOX** Page 25

THE MAILBOX

Continued from Page 24

you have absolutely no vested interest in the system or the economic and physical infrastructures that you are reaping benefits from?

The immigration plank certainly deserves further consideration. A close look at the reformatting effort indicates some real reaching to even define the "principle" relative to the stated issue.

— D.J. GLENN

Roswell, New Mexico

■ Humane occupation?

In response to the pro-state letter you published from a Mr. Walter Bales ["America haters?," The MailBox, October 2003], I would like to remind everyone of two things:

1) Has anyone noticed how the pro-state mouthpieces have quietly dropped WMDs as their Iraq war justification?

2) No occupation is humane, no matter how much of a "good nation" the occupier fancies itself.

One note to the LP News editor: I appreciate your trying to be "balanced" on this issue, but people like Mr. Bales have plenty of forums within which they can spout the pro-fascist, pro-militarist government line.

I would suggest a better ratio for this newspaper, leaning more heavily in favor of the anti-government position. At least until the pro-government crowd shows some repentance for their lies about Iraqi WMDs and about prior ties that the Reagan/Bush administrations had with Saddam.

Next time one of those people sends you a letter whining about how "we are liberators," ask them to explain the 1988 photo showing Mr. Rumsfeld shaking hands with Saddam Hussein. The Iraqi people are not stupid: Liberation from Saddam first, liberation from the Bush family, second!

— STEVE OLIVIER

Sugar Hill, Georgia

■ Support light rail

In the September 2003 LP News, the Arizona LP opposes a ballot initiative that would require Tucson to build a light rail system and another initiative that would fund it with taxes. Support light rail and damn the taxes.

Rail and rail variants such as personal rapid transit and magnetic levitation would move persons and goods more quickly and economically than motor vehicles and airplanes. Oppressive speed limits, traffic cops, congestion, smog, accidents, delays, and the airline security circus are fruits of socialized transportation, courtesy of the highway-aviation lobby.

For details, read SuperTrains, by Joseph Vranich, and Getting There, by Stephen B. Goddard. Look up personal rapid transit on the Internet. Libertarians can promote better transportation by insisting on free-market transportation.

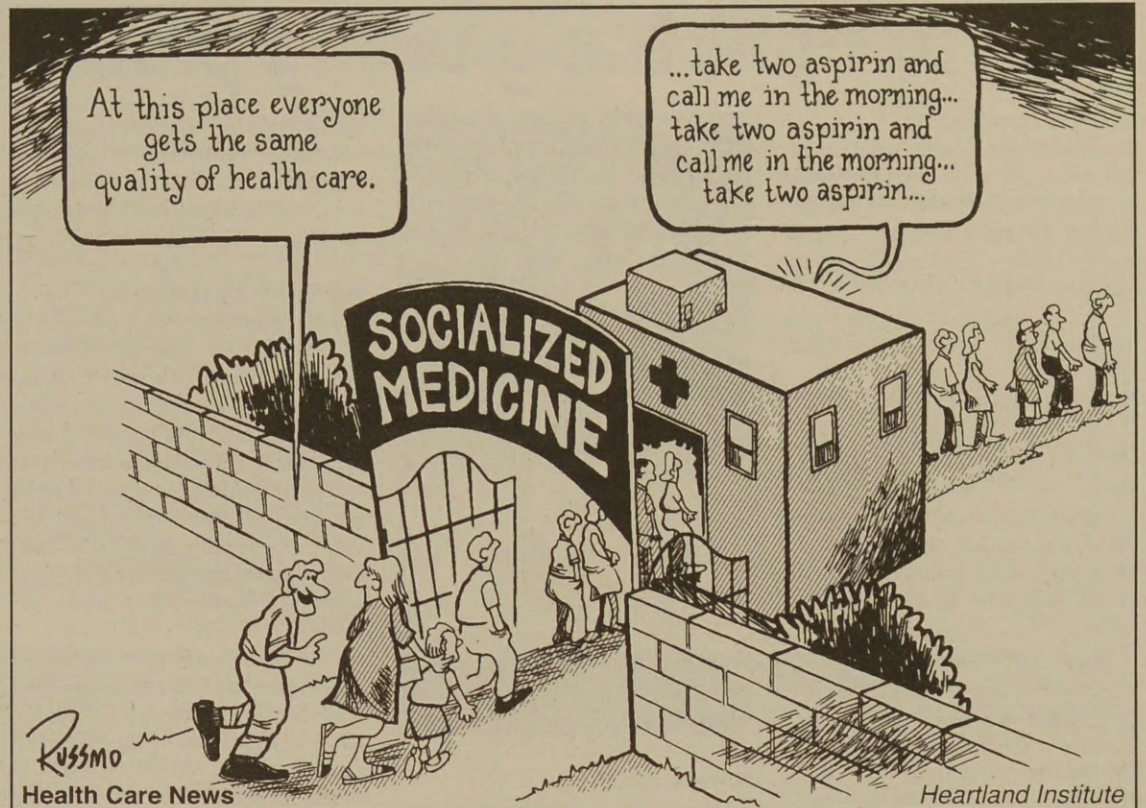
— BOB DOSTAL

Iowa City, Iowa

What Do Abortion Choicers Mean When They Tell Us:

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Previously Published in Health Care News, a publication of The Heartland Institute.

■ Recruit new members

I strongly support David Mooter's proposal for discounted membership fees for members who recruit new members [The MailBox, September 2003].

I would go one step further and honor those members that have contributed the most to the party in this fashion. An annual award by state, or certainly at the national level would be awesome!

— JOHN SULAK

Bridgewater, New Jersey

■ Improve message

I believe we can improve our message considerably by making one small adjustment.

Never use the word "government." Instead use the words "politicians and bureaucrats." It may take some linguistic gymnastics to do it, but it's worth the effort.

In the post 9/11 world, the word government (because it's American) gets a pass. Politicians and bureaucrats are not accorded the same consideration. For example, "government-run health care" sounds very appealing to many people. Health care run by "politicians and bureaucrats?" Are you nuts?

I believe our success lies in discrediting politicians and bureaucrats, not the government.

— TOM LUNDY

Orlando, Florida

■ Mugwump facts

In the Political News section of the September 2003 issue, you state that "Mugwump" is not a character from Harry Potter.

You are only half-right. A Mugwump, if not a character, is actually a title from the world of Harry, in addition to its dictionary definition. Albus Dumbledore, headmaster of Hogwarts, is the "Supreme Mugwump of the International Confederation of Wizards," according to *Harry Potter and the Sorcerer's Stone*.

I thought you might like to know this because there is an article about Harry Potter elsewhere in the issue.

— GRAHAM DUDIK

Los Angeles, California

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How to fight the growing problem of federalized crime

Continued from Page 22

Constitution's Commerce Clause, which gives it authority to regulate interstate commerce. Politicians claimed that since all crime "affects" commerce, they have vast powers to fight local crime.

Fortunately, the Supreme Court has started to reject this spurious argument.

In 1995, the high court famously struck down the Gun-Free School Zones Act, and in 2000 it overturned part of the Violence Against Women Act. In both cases, the justices ruled that Congress had overstepped its authority under the Commerce Clause by passing laws against ordinary crimes.

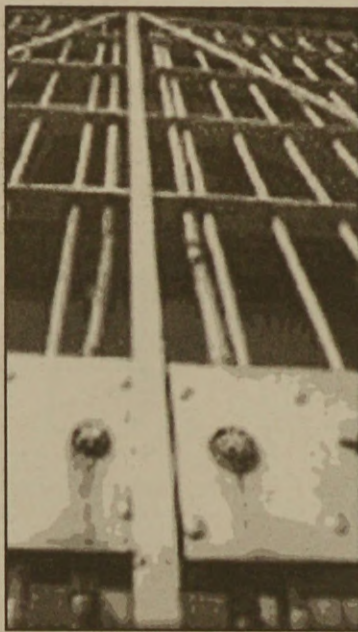
However, that has not stopped the federal law enforcement apparatus from continuing to grow.

By the 1990s, federal justice system expenditures were growing twice as fast as at the state and local level, and the number of federal law enforcement personnel had doubled in five years. By 1999, the number of U. S. attorney offices had grown to 8,000 (up from 3,000 just 30 years earlier.)

Besides its contribution to expanding the size and cost of the federal government, Libertarians have many reasons to oppose federalized crime:

■ It's unconstitutional.

The Supreme Court, in its 2000 decision striking down part of the Violence Against Women Act, wrote: "The Constitution requires a distinction between what is truly national and what is truly local, and there is no better example of the police power, which the Founders undeniably left reposed in the States and denied the central government, than the suppression of violent crime and vindication of its victims."



■ It's unnecessary.

The fact is, almost every crime law passed by Congress duplicates laws already in force in all 50 states.

As former U.S. attorney general Edwin Meese III said in a 1997 speech to the Federalist Society: "There is really no need for federal involvement. The laws that Congress has passed on carjacking, arson, and so on, are already on the books of every state and are regularly and effectively enforced."

■ It takes power away from state and local governments and gives it to politicians in Washington, DC.

The *Cato Handbook for Congress* noted: "Imposing a one-size-fits-all federal law on the 50 states undermines the states' ability to make laws based on local conditions."

Federalized crime also disempowers individual voters.

"State law is easier to modify than is federal legislation," wrote the CSG's Mountjoy. "The movement of laws to

the federal level may leave local residents with the belief that they have less power to influence debate and less control over crime's impact on them."

■ It places citizens under double jeopardy.

Federal crime laws give the federal government the power to try individuals who have already been charged with a crime in state courts. For example, federal prosecutors were displeased when several police officers were acquitted in a California court of illegally beating Rodney King, so they charged them with essentially the same crime under federal law.

Meese wrote: "The fact that a person may be tried and acquitted for a crime in the state courts does not prevent him from being tried and perhaps convicted in the federal courts for exactly the same offense on exactly the same set of facts."

■ It leads to the militarization of policing.

Backed by the vast firepower of the federal government, federal law enforcement can turn an ordinary criminal incident into a bloody battle.

For example, it wasn't until the BAFT decided to arrest quirky preacher David Koresh on federal weapons charges that the name "Waco, Texas" became synonymous with the worst kind of law enforcement excess.

By the end of its siege of Koresh's compound, the federal government had an army of heavily armed FBI agents, military DELTA Force teams, helicopters, and tanks involved. The ensuing attack killed more than 80 men, women, and children.

Had the matter been handled by local authorities, it would have ended much differently, suggested Meese.

"Would the local sheriff's department have stormed the compound — or instead have waited to arrest David Koresh when he ventured into town for supplies, as he did frequently?" he asked.

For all these reasons, the rapid growth of federalized crime statutes needs to be reversed. Here's what should be done:

■ Congress should stop passing new federal laws.

Politicians need to understand that passing redundant federal crime laws wastes time, money, and energy, while doing little to stop crime or protect Americans.

"Federal politicians should be able to express their concern about crime without voting for bad legislation," wrote the Cato Institute's William A. Niskanen in 1994.

If Congress does get an uncontrollable urge to pass new crime laws, it should follow advice from the CSG's Mountjoy.

"To create a federal crime, Congress should clearly show strong federal interest in the matter," he wrote. "Federal criminal law should [only] address crimes that affect core functions of government, such as treason or national borders."

■ Repeal all federal laws that criminalize actions that are already illegal under state law.

A study published in *USA Today* reported that fully 95% of the crimes prosecuted under federal law in 1997 could have been prosecuted under an equivalent state law. If *USA Today*

can figure this out, Congress should be able to, as well.

In repealing laws, Congress can use a simple three-part test: 1. Is the crime already a crime under state law? 2. Does the crime take place solely in one state? 3. Does the crime lack any specific impact on the federal government's property, employees, or programs?

If the answer to all three is "Yes," that futile federal law should be immediately repealed.

Conclusion

There is no need for carbon copy federal laws criminalizing actions that are already crimes at the state or local level. By passing such laws, politicians are solving a "problem" that does not exist.

As the CSG's Mountjoy wrote, about 95% of all crimes are already being effectively "prosecuted by state attorneys, tried in state courts, and punished in state prisons."

An editorial in the *Houston Chronicle* (April 10, 1999) summarized the case against federalized crime: "The American criminal justice system throughout history has recognized the wisdom of leaving general police powers with the states. Our forefathers did not want — indeed, were fearful of — one great, centralized police authority."

"The nation does not need overlapping and redundant sets of criminal laws or enforcement authorities. Congress and [the] president should stop the inappropriate federalization of criminal activities, and let states combat local crime."

UPCOMING

■ March 19-21, 2004

Pennsylvania LP Convention, Harrisburg Hilton Hotel, Harrisburg. Speakers include Michael Badnarik and Gary Nolan (candidates for the 2004 LP presidential nomination). For information, call: (717) 233-6000. Or e-mail: info@lppa.org.

■ March 26-27, 2004

Virginia LP Convention, Richmond Marriott Hotel, Richmond. Speakers TBA. For information, contact Jim Lark at: (434) 973-5958. Or e-mail: affiliates@lpva.com.

■ March 27, 2004

Arkansas LP Convention, Hot Springs Convention Center, Hot Springs, Arkansas. Speakers TBA. For information, e-mail: bfarlp@leapfrognet.com. Or call: (866) 244-7341. Or write: Arkansas LP, P.O. Box 15214, Little Rock, AR 72231.

■ May 13-15, 2004

Freedom Fest 2004: "Where Free Minds Meet," Bally's and Paris, Las Vegas. Sponsored by Mark Skousen and Holland World Seminars. Speakers include Ron Crickenberger (former LP political director). For information, visit: www.freedomfest.com. Or call: (800) USA-1776.

■ May 27-31, 2004

Libertarian Presidential Nominating Convention, Marriott Atlanta Marquis Hotel, Atlanta, Georgia. Speakers include Dean Cameron (actor), James Gray (U.S. District judge), and Neal Boortz (syndicated radio talk show host). Entertainers include blues musician Jimmie Vaughan. Questions, comments, suggestions, e-mail: convention@hq.LP.org.

■ June 11-13, 2004

Texas LP Convention, College Station Hilton Hotel, College Station. Speakers TBA. For information, call Christopher Jagge at: (979) 695-9646. Or e-mail: c_jagge@email.msn.com.



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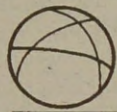
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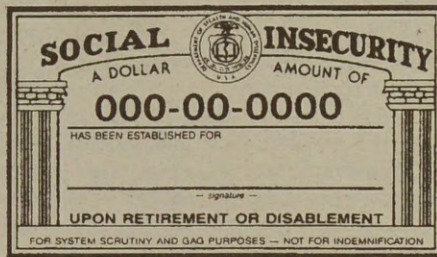


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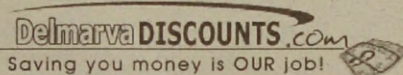
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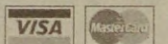
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UPCOMING

■ November 1, 2003

New Hampshire LP Convention, Highlander Inn, Manchester. Speakers include Craig Benson (Republican governor, New Hampshire) and Richard Boddie (president, The Motivators). For information, call: (800) 559-LPNH. Or write: LPNH, P.O. Box 5293, Manchester, NH 03108.



■ November 4, 2003

Patrick Henry Supper Club, China Buffet Restaurant, Richmond, Virginia. Speaker: Keith Murphy (Mid-Atlantic Coordinator, Free State Project). For information, e-mail Leonard Harris at: leonard@richmondliberty.org.

■ November 5, 2003

The Reason Foundation's 35th Anniversary Banquet, Regent Beverly Wilshire Hotel, Beverly Hills, California. Speakers TBA. For information, visit: www.reason.org/anniversary.html.

■ November 8, 2003

Michigan Liberty Fest, Hampton Inn Suites, Okemos. Hosted by the Libertarian Party of Mid-Michigan. Speakers include Bill Ballenger (editor, Inside Michigan Politics) and Mickey Hirten (Lansing State Journal). For information, call Will Tyler White: (517) 349-3806. Or e-mail: whitewi5@msu.edu. Or visit: www.mi.lp.org.

■ November 8, 2003

Pennsylvania LP "Party and FUNraiser," Hilton Harrisburg and Towers Hotel, Harrisburg. Will raise money for LP's 2004 campaign and ballot access fund. Speakers include Matthew Brouillette (president, Commonwealth Foundation); entertainment includes Jump the Gun. For information, e-mail: weneedjohn@galt@earthlink.net. Or call: (717) 243-2788.

■ November 8-9, 2003

Maximum Impact Libertarian Speaking Workshop, Hampton Inn, Natick, Massachusetts. Speakers include Michael Cloud (communications expert) and Carla Howell ('02 LP candidate for Mass. governor). For information, e-mail: info@smallgovernmentact.org. Or call: (508) 276-1400.

■ November 15-16, 2003

Maximum Impact Libertarian Speaking Workshop, Radisson Hotel Cleveland Airport, Cleveland, Ohio. Speakers include Michael Cloud (communications expert) and Jim Babka (president, ALF). For information, e-mail: info@smallgovernmentact.org. Or call: (508) 276-1400.

■ November 22-23, 2003

The 2003 Reclaim Democracy Conference, Convention Center, Washington, DC. Sponsored by the Center for Voting and Democracy. The conference will focus on ways to "secure, enhance, and exercise the power of the right to vote." Speakers TBA. For information, visit: www.democracyusa.org/events/conference.html.

■ January 6, 2004

Patrick Henry Supper Club, China Buffet Restaurant, Richmond, Virginia. Speaker: Parrish Mort (Virginia Home Education Association). For information, e-mail Leonard Harris at: leonard@richmondliberty.org.

■ January 31, 2004

Arizona LP Convention, Viscount Suite Hotel, Tucson. Speakers TBA. For information, visit: www.azlp.org. Or call: (602) 248-8425. Or e-mail: lpaz-info@cox.net.

■ February 6-8, 2004

Florida LP Convention, Holiday Inn-University Center, Gainesville. Speakers TBA. For information, visit: www.geocities.com/gilsonde/LPF2004Conv.html. Or call: (800) 478-0555.

■ March 12-14, 2004

California LP Convention, San Jose DoubleTree Hotel, San Jose. Speakers include Dean Cameron (actor), Peter Thiel (founder, PayPal), Gary Nolan and Michael Badnarik (candidates for 2004 LP presidential nomination), Geoff Neale (LP national chair), and Joe Seehusen (LP executive director). For information, e-mail: convention@ca.LP.org. Or visit: www.ca.LP.org.



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INSIDE

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■ **PAGE 1** Roscoe gets under 1% in California race

■ **PAGE 3** Free State Project settles on New Hampshire

■ **PAGE 13** LNC sets ballot access plan



FIRST WORD

"Republicans have in recent years been awful on size-of-government issues. Rather than eliminate any major federal agency, [Republicans] have added a new Cabinet-level department. The education bill formulated with Ted Kennedy's help increases rather than decreases the federal role in education. Foreign aid spending is up. [President] Bush approved new tariffs on steel, and signed a bloated farm bill. The addition of a new prescription drug benefit to the already struggling Medicare program may be the next policy move to enlarge the distance between libertarians and Bush Republicans into a yawning chasm."

— W. JAMES ANTLE III, *American Daily*, June 24, 2003

"[Many young males] share the same view of government. Call it the indie dude philosophy: 'Don't tell me what to do.' They share a libertarian distrust of government and want to get government out of your pockets, out of your bedroom."

— WILLIAM SCHNEIDER, *National Journal*, September 13, 2003

"Conservatives who want smaller government and a president who respects the Constitution should bypass both major parties, and vote Libertarian."

— LEX CONCORD, *www.SierraTimes.com*, August 10, 2003